

Honolulu, Hawaii
February 16, 2018

RE: H.B. No. 2723
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2723, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PRESERVING CORAL REEFS,"

begs leave to report as follows:

The purpose of this measure is to protect Hawaii's coral reefs without compromising the ability of Hawaii residents and visitors to protect themselves from sunburns and damage caused by harmful ultraviolet A and ultraviolet B rays. Specifically, this measure prohibits:

- (1) The sale of sunscreens containing oxybenzone beginning January 1, 2023, unless the sunscreen is a prescription drug; and
- (2) The counties from further banning or otherwise regulating sunscreens containing oxybenzone or other ingredients approved by the United States Food and Drug Administration.

The Office of Hawaiian Affairs, a Hawaii County Council Member, a Maui County Council Member, Ban Toxic Sunscreens, Bayer, Friends of Hanauma Bay, Hawaiian Civic Club of Honolulu, Sierra Club of Hawai'i, Sierra Student Coalition, Humane Society of the United States, and many concerned individuals supported this



measure. The Retail Merchants of Hawaii, Personal Care Products Council, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Consumer Healthcare Products Association, Environmental Caucus of the Democratic Party of Hawaii, and two concerned individuals opposed this measure. The Department of Land and Natural Resources, Department of Health, and two concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Removing its contents and inserting the provisions of H.B. No 2264, a substantially similar measure that specifically prohibits the sale, offer for sale, or distribution for sale of non-prescription SPF sunscreen products containing octinoxate or oxybenzone;
- (2) Making a violation of the prohibition a petty misdemeanor; and
- (3) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2723, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2723, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROY M. TAKUMI, Chair



State of Hawaii
House of Representatives
The Twenty-ninth Legislature

HSCR 551-18

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: <i>HB 2723, HDI</i>	Committee Referral: <i>EEP, CPC, FIN</i>	Date: <i>2/13/18</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	✓			
2. ICHIYAMA, Linda (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. ITO, Ken	✓			
5. JOHANSON, Aaron Ling				✓
6. LoPRESTI, Matthew S.	✓			
7. MIZUNO, John M.	✓			
8. SAY, Calvin K.Y.	✓			
9. TOKIOKA, James Kunane	✓			
10. YAMANE, Ryan I.	✓			
11. McDERMOTT, Bob		✓		
TOTAL (11)	<i>9</i>	<i>1</i>	<i>0</i>	<i>1</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <i>[Signature]</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				