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## A BILL FOR AN ACT

RELATING TO TOBACCO.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 302A-102, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§302A-102 [Smoking] Tobacco use prohibited. (a) All  
4 public schools within the State, from kindergarten through grade  
5 twelve, shall prohibit the use of tobacco at public schools or  
6 at public school functions.

7 (b) Any person under the age of eighteen who uses tobacco  
8 at a public school or public school function shall be required  
9 to attend a tobacco education course, accompanied by the  
10 person's parent or guardian. The parent or guardian shall pay  
11 \$25 to offset the cost of the course, which may include the  
12 costs of an instructor, materials, and facility.

13 (c) Any person eighteen years and older but under twenty-  
14 one years of age who uses tobacco at a public school or public  
15 school function shall be required to attend a tobacco education  
16 course and pay \$25 to offset the cost of the course, which may  
17 include the costs of an instructor, materials, and facility.



1        (d) The tobacco education course and \$25 fee shall not be  
 2 suspended or waived and shall be in lieu of any other penalties  
 3 for the unlawful use of tobacco by persons under the age of  
 4 twenty-one imposed by law.

5        (e) As used in this section:

6        "Tobacco" has the same meaning as "tobacco product" in  
 7 section 328J-1.

8        "Tobacco education course" means a course approved by the  
 9 department of health that integrates a best practices curriculum  
 10 to promote tobacco cessation."

11        SECTION 2. This Act does not affect rights and duties that  
 12 matured, penalties that were incurred, and proceedings that were  
 13 begun before its effective date.

14        SECTION 3. Statutory material to be repealed is bracketed  
 15 and stricken. New statutory material is underscored.

16        SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

[Signature]      [Signature]      Madame K. Nelson  
[Signature]      [Signature]      [Signature]  
[Signature]      [Signature]      Nicole E. Lower  
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*John M. Miller*  
*David Carno*

JAN 17 2020



# H.B. NO. 1956

**Report Title:**

Smoking; Public Schools; Tobacco Education Course; Fee

**Description:**

Establishes a requirement that persons under 21 years of age who use tobacco at a public school or public school function attend a tobacco education course. Persons under 18 years of age shall be accompanied to the course by their parent or guardian.  
Establishes a related fee.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

