
A BILL FOR AN ACT

RELATING TO SUBSTANCE ABUSE TREATMENT.

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

1 SECTION 1. The legislature finds that studies have
2 demonstrated that the concurrent treatment of smoking cessation
3 for patients in a substance abuse treatment program have led to
4 improved outcomes for the addiction to harmful substances such
5 as drugs and alcohol. Further, clinical studies have shown that
6 implementation of a smoking cessation program into a substance
7 abuse treatment program can be accomplished without jeopardizing
8 the goal of overcoming an addiction to harmful substances.

9 The legislature further finds that a smoking cessation
10 program to prohibit smoking at substance abuse treatment centers
11 will promote a general recovery plan that incorporates good
12 health and wellness practices for an optimal chance for recovery
13 from substance abuse.

14 The purpose of this Act is to prohibit smoking and the use
15 of tobacco products on the premises of substance abuse treatment
16 facilities.



1 SECTION 2. Chapter 328J, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§328J- Substance abuse treatment facilities. (a)
5 Notwithstanding any other provision of this chapter to the
6 contrary, it shall be unlawful for any person to smoke or use
7 tobacco products on the premises of any substance abuse
8 treatment facility.

9 (b) The rebuttable presumption set forth in section 328J-6
10 shall not apply to this section.

11 (c) The exceptions set forth in section 328J-7 shall not
12 apply to this section.

13 (d) As used in this section, "tobacco products" means any
14 product that is made or derived from tobacco that contains
15 nicotine or other substances and is intended for human
16 consumption or is likely to be consumed, whether smoked, heated,
17 chewed, absorbed, dissolved, inhaled, or ingested by any other
18 means, including but not limited to a cigarette, cigar, pipe
19 tobacco, chewing tobacco, snuff, snus, or an electronic smoking
20 device."



1 SECTION 3. Section 328J-1, Hawaii Revised Statutes, is
2 amended by adding three new definitions to be appropriately
3 inserted and to read as follows:

4 "Substance" means alcohol, any drug on schedules I through
5 IV of chapter 329, or any substance that includes in its
6 composition volatile organic solvents.

7 "Substance abuse" means the misuse of a substance or the
8 use of a substance to an extent deemed deleterious or
9 detrimental to the user, to others, or to society.

10 "Substance abuse treatment facility" means a facility that
11 is intended to assist individuals in ending their addiction to
12 substances and individuals recovering from substance abuse."

13 SECTION 4. New statutory material is underscored.

14 SECTION 5. This Act shall take effect on January 1, 2021.

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INTRODUCED BY:

Al B...
John M. Cal...
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Mya...
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H.B. NO. 1995

Report Title:

Smoking; Tobacco Products; Prohibition; Substance Abuse
Treatment Facilities

Description:

Prohibits smoking and the use of tobacco products on the
premises of substance abuse treatment facilities. Takes effect
on 1/1/2021.

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not legislation or evidence of legislative intent.*

