

JAN 18 2019

A BILL FOR AN ACT

RELATING TO TOBACCO PRODUCTS.

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

1 SECTION 1. Section 328J-15, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~+~~**§328J-15**~~+~~ **County ordinances.** (a) Nothing in this
4 chapter shall be construed to supersede or in any manner affect
5 a county smoking ordinance~~+~~ and the authority of any county to
6 adopt and enforce additional ordinances or rules that regulate
7 the sale of cigarettes, tobacco products, and electronic smoking
8 devices; provided that the ordinance or rule is at least as
9 protective of the rights of nonsmokers as this chapter.

10 (b) Nothing in this chapter shall prohibit a county from
11 enacting ordinances or rules more stringent than this chapter."

12 SECTION 2. Section 328J-11.5, Hawaii Revised Statutes, is
13 repealed.

14 ~~["~~§328J-11.5~~ **Statewide concern.** (a) Sales of~~
15 ~~cigarettes, tobacco products, and electronic smoking devices are~~
16 ~~a statewide concern. It is the intent of the legislature to~~



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1 ~~regulate the sale of cigarettes, tobacco products, and~~
2 ~~electronic smoking devices in a uniform and exclusive manner.~~

3 ~~(b) All local ordinances or regulations that regulate the~~
4 ~~sale of cigarettes, tobacco products, and electronic smoking~~
5 ~~devices are preempted, and existing local laws and regulations~~
6 ~~conflicting with this chapter are null and void.~~

7 ~~(c) Nothing in this chapter shall be construed to limit a~~
8 ~~county's authority under section 328J-15."]~~

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

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

12

INTRODUCED BY:

Ann. M.
By Request



S.B. NO. 159

Report Title:

HSAC Package; Hawaii State Association of Counties; Tobacco Products; State and County

Description:

Repeals the State's preemptory powers over the regulation of tobacco products. Clarifies the county powers to adopt and enforce ordinances and rules.

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

