

STAND. COM. REP. NO.

140

Honolulu, Hawaii

FEB 10 , 2021

RE: H.B. No. 826
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.B. No. 826 entitled:

"A BILL FOR AN ACT RELATING TO ELECTRONIC SMOKING DEVICES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Expand the purposes for which monies in the Tobacco Enforcement Special Fund may be used to include all functions of the Department of the Attorney General;
- (2) Better regulate and ensure the removal of unsafe, noncertified electronic nicotine delivery systems from the marketplace by expanding the scope of the Electronic Smoking Device Retailer Registration Unit within the Department of the Attorney General;
- (3) Establish a special fund for the deposit of monies collected for violations of electronic smoking device compliance; and
- (4) Curb the use of electronic smoking devices and tobacco products by amending the fine amounts for persons under twenty-one years of age who purchase or possess such devices or products.

2021-1360 HB826 HD1 HSCR HMSO



Your Committee received testimony in support of this measure from the Hawaii Primary Care Association and one individual. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, American Heart Association, Retail Merchants of Hawaii, VOLCANO Vape Shops, Irie Hawaii, Hawaii Smokers Alliance, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Health, Hawaii Public Health Institute, Coalition for a Tobacco-Free Hawaii, and two individuals.

Your Committee finds that Hawaii suffers from the highest rate of usage of e-cigarettes among middle school students and the second highest rate of usage among high school students in the nation. Your Committee further finds that more robust enforcement and increased fines will help combat the high rates of underage e-cigarette and other electronic smoking device usage in the State.

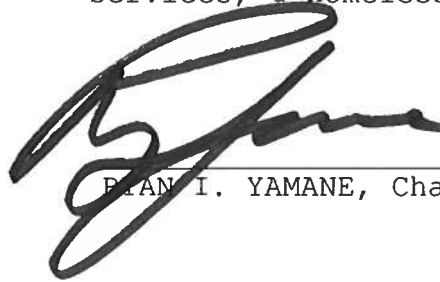
Your Committee has amended this measure by:

- (1) Inserting a savings clause;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 826, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 826, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committee on Health, Human
Services, & Homelessness,



BRIAN I. YAMANE, Chair



