

STAND. COM. REP. NO.

1542

Honolulu, Hawaii

MAR 24 , 2023

RE: S.B. No. 1447
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred S.B. No. 1447, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Repeal existing state law that:
 - (A) Preempted local ordinances or regulations from regulating the sale of cigarettes, tobacco products, and electronic smoking devices; and
 - (B) Nullified and voided existing local laws and regulations that conflicted with the state law on smoking; and
- (2) Allow the counties to regulate the sale of cigarettes, tobacco products, and electronic smoking devices, as long as the ordinances do not directly conflict with and are more stringent than the state law on smoking.

Your Committee received testimony in support of this measure
from the Department of Health, Hawaii State Teachers Association,

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Hawai'i State Association of Counties, American Heart Association, American Cancer Society Cancer Action Network, Coalition for a Tobacco-Free Hawaii's Youth Council, Hawaii Association of Independent Schools, Hawai'i Primary Care Association, Hawaii Substance Abuse Coalition, Hawaii COPD Coalition, Papa Ola Lokahi, Coalition for a Tobacco-Free Hawai'i, Campaign for Tobacco-Free Kids, American Lung Association, Hawaii Medical Service Association, and numerous individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii; Kimura General Store; VOLCANO Vape Shops; Consumer Choice Center; Americans for Tax Reform; Cigar Association of America, Inc.; Aloha Petroleum; Minit Stop; Par Hawaii; National Taxpayers Union; Hi Supply Smoke Shop; Hawaii Smokers' Alliance; and numerous individuals. Your Committee received comments on this measure from the Taxpayers Protection Alliance.

Your Committee finds that geographic tobacco-related disparities are a serious public health problem in the State and innovative, community-based solutions are needed. As such, local communities may have innovative solutions to address this serious public health problem. This measure returns authority to the counties to regulate the sale of cigarettes, tobacco products, and electronic smoking devices.

Your Committee has amended this measure by:

- (1) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1447, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1447, S.D. 1, H.D. 1.



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


MARK M. NAKASHIMA, Chair



