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# A BILL FOR AN ACT

RELATING TO TOBACCO PRODUCTS.

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

1           SECTION 1. Section 709-908, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§709-908 Tobacco; minors.** (1) It shall be unlawful to  
4 sell or furnish tobacco in any shape or form, including chewing  
5 tobacco and snuff, to a minor under eighteen years of age.

6           (2) Signs using the statement, "The sale of tobacco  
7 products to persons under eighteen is prohibited", shall be  
8 posted on or near any vending machine in letters at least one-  
9 half inch high and at or near the point of sale of any other  
10 location where tobacco products are sold in letters at least  
11 one-half inch high.

12           (3) It shall be unlawful for a minor under eighteen years  
13 of age to purchase any tobacco product, as described under  
14 subsection (1). This provision does not apply if a person under  
15 the age of eighteen, with parental authorization, is  
16 participating in a controlled purchase as part of a law  
17 enforcement activity or a study authorized by the department of



1 health under the supervision of law enforcement to determine the  
2 level of incidence of tobacco sales to minors.

3 (4) It shall be unlawful for a minor under eighteen years  
4 of age to use tobacco in any shape or form, including chewing  
5 tobacco and snuff. A law enforcement officer may confiscate any  
6 tobacco used in violation of this subsection.

7 [~~4~~] (5) Any person who violates subsection (1) or (2),  
8 or both, shall be fined \$500 for the first offense. Any  
9 subsequent offenses shall subject the person to a fine not less  
10 than \$500 nor more than \$2,000.

11 (6) Any minor under eighteen years of age who violates  
12 subsection (3) shall be fined \$10 for the first offense. Any  
13 subsequent offense shall subject the violator to a fine of \$50,  
14 no part of which shall be suspended, or the person shall be  
15 required to perform not less than forty-eight hours nor more  
16 than seventy-two hours of community service during hours when  
17 the person is not employed and is not attending school."

18 SECTION 2. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 3. This Act shall take effect on January 1, 2050.



**Report Title:**

Tobacco Products; Minors; Use; Prohibition; Confiscation

**Description:**

Prohibits use of tobacco products by minors. Authorizes law enforcement officer to confiscate tobacco products used by minors. Effective 1/1/2050. (SD1)

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

