

STAND. COM. REP. NO. 1652

Honolulu, Hawaii

April 10, 2015

RE: S.B. No. 1030
S.D. 1
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1030, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to prohibit:

- (1) The possession or consumption of tobacco products, including electronic smoking devices, in a public place by persons under 18 years of age, subject to enforcement through citation issued by the Department of Health or law enforcement officer; and
- (2) The sale or furnishing of tobacco products, including electronic smoking devices, to a person under 21 years of age, subject to enforcement through fines and possible community service.

The Honolulu Police Department, University of Hawaii Student Health Advisory Council, Hawaii Medical Service Association, American Cancer Society Cancer Action Network, and several individuals testified in support of this measure. The Coalition for a Tobacco-Free Hawai'i and numerous individuals testified in support of this measure with comments. Hawaii Smokers Alliance and numerous individuals opposed this measure. The Department of

SB1030 HD2 HSCR JUD HMS 2015-3049



Health, Chamber of Commerce of Hawaii, and American Heart Association commented on this measure.

Your Committee has amended this measure by:

- (1) Making the prohibition of possessing or consuming tobacco products applicable to persons under 21 years of age, rather than to persons under 18 years of age;
- (2) Deleting provisions that required the Department of Health or law enforcement officers to issue citations for unlawful possession or consumption and that authorized the Department of Health to adopt rules establishing fines, community service requirements, and health education requirements;
- (3) Specifying fines and community service requirements for persons who violate prohibitions on possession and consumption;
- (4) Changing the effective date to January 1, 2016; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1030, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1030, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



