

STAND. COM. REP. NO.

1375

Honolulu, Hawaii

MAR 15 , 2019

RE: S.B. No. 1244
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 1244, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE SALE OF TOBACCO PRODUCTS,"

begs leave to report as follows:

The purpose of this measure is to clarify that liability for the illegal sale of tobacco products and electronic smoking devices to persons under the age of twenty-one falls upon the holder of the retail tobacco permit or the person registered to sell electronic cigarette smoking devices, as opposed to the employee.

The Department of Health and Hawai'i Public Health Institute testified in support of this measure. Irie Hawaii, Hi Lyfe Vaporz, LLC, ABC Stores, Retail Merchants of Hawaii, Hawaii Petroleum Marketers Association, Hawaii Smokers Alliance, and many individuals testified in opposition to this measure. The Representative of House District 5 provided comments.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to promote further discussion.

Your Committee notes that this measure acts to place liability for the illegal sale of tobacco products and electronic

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smoking devices to persons under the age of 21 solely upon the shoulders of the retail tobacco permit holder or the individual registered to sell electronic smoking devices. Your Committee further notes that there is concern that this measure may encourage a black market in tobacco products and electronic smoking devices. Finally your Committee notes the recommendations of the member representing House District 5 to increase the age limit on the smoking ban from twenty-one to twenty-five.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1244, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1244, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

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



JOHN M. MIZUNO, Chair



