

STAND. COM. REP. NO. **3267**

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2326
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2326, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MICROBEADS,"

begs leave to report as follows:

The purpose and intent of this measure is to phase in a prohibition on the manufacture and sale in Hawaii of certain personal care products and non-prescription drugs that contain synthetic plastic microbeads. Specifically, this measure:

- (1) Beginning 7/1/2021, bans the manufacture of a personal care product, except a non-prescription drug, that contains synthetic plastic microbeads;
- (2) Beginning 7/1/2022, bans the sale or offer for sale of a personal care product, except a non-prescription drug, that contains synthetic plastic microbeads and bans the manufacture of a non-prescription drug that contains synthetic plastic microbeads;
- (3) Beginning 7/1/2023, bans the sale or offer for sale of a non-prescription drug that contains synthetic plastic microbeads;



- (4) Defines synthetic plastic microbead as any intentionally added solid plastic particle measuring two millimeters in size or larger; and
- (5) Exempts rinse-off cosmetics and rinse-off cosmetics that are also non-prescription drugs regulated by the federal Microbead-Free Waters Act of 2015.

Your Committee received testimony in support of this measure from the Department of Health, Climate Protectors Coalition, Calypso Charters, Animal Rights Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from the Personal Care Products Counsel, Beach Environmental Awareness Campaign Hawai'i, Plastic Soup Foundation, and one individual.

Your Committee finds that synthetic plastic microbeads pose a serious threat to the natural environment. Synthetic plastic microbeads are an ingredient in many personal care products and are used for exfoliating dead skin cells. Sewage waste treatment facilities are unable to filter synthetic plastic microbeads out of wastewater because of their small size, and as a result, synthetic plastic microbeads are often discharged into the ocean along with the treated wastewater. Marine life can easily swallow the synthetic plastic microbeads, potentially causing injury and even death. Your Committee finds that there is a strong public interest in protecting Hawaii's natural environment and decreasing the amount of plastic waste flowing into its coastal waters. This measure protects Hawaii's ocean environment by phasing out the manufacturing and sale of certain personal care products that contain synthetic plastic microbeads in the State.

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. 2326, S.D. 1, and recommends that it pass Third Reading.



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

Karl Rhoads

KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2326 SD1	Committee Referral: AEN, JDC	Date: 2/27/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado		/		
FEVELLA, Kurt				/
TOTAL	3	1		1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes