
A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

1 SECTION 1. Chapter 339, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§339-A Beach clean-up cigarette fee. (a) Beginning on
5 July 1, 2016, every wholesaler or dealer shall pay to the
6 department a beach clean-up cigarette fee on each cigarette
7 sold, used, or possessed by a wholesaler or dealer, whether or
8 not sold at wholesale, or if not sold then at the same rate upon
9 the use by the wholesaler or dealer. The fee shall be cents
10 per cigarette.

11 (b) All fees collected pursuant to subsection (a) shall be
12 deposited to the credit of the beach clean-up special fund
13 established pursuant to section 339-B .

14 (c) The department shall establish rules pursuant to
15 chapter 91 necessary for the collection of the beach clean-up
16 cigarette fee.

17 (d) For the purposes of this section:



1 "Cigarette" means any roll for smoking made wholly or in
2 part of tobacco, irrespective of size and shape and whether or
3 not the tobacco is flavored, adulterated, or mixed with any
4 other ingredient, the wrapper or cover of which is made of paper
5 or any other substance or material except tobacco.

6 "Dealer" means any person coming into the possession of
7 cigarettes or tobacco products which have not been acquired from
8 an authorized permit holder or licensee under chapter 245, or
9 any person rendering a distribution service who buys and
10 maintains, at the person's place of business, a stock of
11 cigarettes or tobacco products that have not been acquired from
12 a licensee and who distributes or uses such cigarettes or
13 tobacco products.

14 "Wholesaler" means a person rendering a distribution
15 service who buys and maintains, at the person's place of
16 business, a stock of cigarettes or tobacco products that the
17 person uses, possesses, or distributes only to retailers, or
18 other wholesalers, or both.

19 §339-B Beach clean-up special fund. (a) There is
20 established in the state treasury a special fund to be



1 designated as the beach clean-up special fund into which shall
2 be deposited:

- 3 (1) Fees collected pursuant to section 339-A ;
- 4 (2) Appropriations made by the legislature for deposit
5 into the fund; and
- 6 (3) Donations and contributions made by private
7 individuals or organizations for deposit into the
8 fund.

9 (b) Moneys in the beach clean-up special fund may be used
10 by the department for the following purposes:

- 11 (1) Planning, designing, developing, and implementing
12 beach land litter removal projects; and
- 13 (2) Providing grants to the counties and nongovernmental
14 organizations for the removal of litter from beach
15 land.

16 For the purposes of this section, "beach land" means all
17 lands in the shoreline area including sand, rocky, or cobble
18 beaches, dune systems, landward and seaward sand reserves, and
19 all such lands subject to the natural processes of erosion and
20 accretion. The term includes easements and rights in such land
21 and any improvements on such land."



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1 SECTION 2. In codifying the new sections added by section
 2 1 of this Act, the revisor of statutes shall substitute
 3 appropriate section numbers for the letters used in designating
 4 the new sections in this Act.

5 SECTION 3. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2015.

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H.B. NO. 749

Report Title:

Cigarettes; Fee; Litter; Beach Clean-Up Special Fund

Description:

Imposes on wholesalers and dealers a beach clean-up cigarette fee per cigarette sold, used, or possessed. Establishes and allocates moneys generated to the Beach Clean-Up Special Fund for litter removal from beach land.

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