
A BILL FOR AN ACT

RELATING TO USE OF TOBACCO PRODUCTS AND E-CIGARETTES ON HAWAII
HEALTH SYSTEMS CORPORATION PREMISES.

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

1 SECTION 1. The legislature finds that facilities within
2 the Hawaii health systems corporation are committed to providing
3 quality healthcare for the people of Hawaii and taking steps to
4 reduce the occurrence of preventable disease. Permitting the
5 use of tobacco and other potentially dangerous substances on the
6 premises of its health facilities is inconsistent with this
7 commitment. Allowing such use would not only expose patients,
8 employees, and visitors to the perils of harmful substances, but
9 would also be counterproductive to the corporation's goal of
10 reducing the occurrence of preventable disease.

11 The purpose of this Act is to promote positive health
12 practices that protect patients, employees, and visitors of the
13 health facilities of the Hawaii health systems corporation from
14 exposure to secondhand smoke and other potentially harmful
15 substances by prohibiting the use of tobacco products or
16 electronic smoking devices, commonly referred to as "e-



1 cigarettes" or "electronic cigarettes", on the premises of any
2 Hawaii health systems corporation health facility.

3 SECTION 2. Chapter 323F, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§323F- Tobacco product and electronic smoking device;
7 use prohibited; education. (a) The corporation shall prohibit
8 the use of any tobacco product or electronic smoking device by
9 any person on the premises of all health facilities operated by
10 the corporation within the State, to the extent not prohibited
11 by federal law or regulation.

12 (b) The prohibition of tobacco and electronic smoking
13 device use by public employees under this section shall be
14 subject to consultation pursuant to section 89-9(c).

15 (c) The corporation shall be responsible for educating all
16 health facility personnel, contractors, patients, and visitors
17 of the corporation's health facilities regarding the
18 prohibitions under this section. The corporation shall
19 prominently display signs stating that "tobacco and electronic
20 smoking device use is prohibited" at all entrances to the
21 corporation's health facilities and at other conspicuous



1 locations throughout the outdoor premises of each health
2 facility, in compliance with section 328J-8.

3 (d) For purposes of this section:

4 "Electronic smoking device" means any electronic product
5 that can be used to aerosolize and deliver nicotine or other
6 substances to the person inhaling from the device including but
7 not limited to an electronic cigarette, electronic cigar,
8 electronic cigarillo, electronic pipe, hookah pipe, or hookah
9 pen, and any cartridge or other component of the device or
10 related product, whether or not sold separately.

11 "Premises" shall mean all indoor and outdoor areas within
12 the State-designated property boundary lines of each of the
13 corporation's health facilities and shall include all employee
14 and visitor parking lots.

15 "Tobacco or electronic smoking device use" does not include
16 mere possession or storage of the same for use in locations
17 outside the premises of the corporation's health facilities.

18 "Tobacco product" means any product made or derived from
19 tobacco, that contains nicotine or other substances, and is
20 intended for human consumption or is likely to be consumed
21 whether smoked, heated, chewed, absorbed, dissolved, inhaled, or



1 ingested by any other means including but not limited to a
2 cigarette, cigar, pipe tobacco, chewing tobacco, snuff, snus, or
3 electronic smoking device. "Tobacco product" does not include
4 drugs, devices, or combination products approved for sale by the
5 U.S. Food and Drug Administration, as those terms are defined in
6 the Federal Food, Drug, and Cosmetic Act."

7 SECTION 3. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Tobacco Products; Electronic Smoking Devices; Prohibition; HHSC
Facilities

Description:

Prohibits the use of tobacco products and electronic smoking devices on premises of the facilities operated by the Hawaii Health Systems Corporation (HHSC). Requires HHSC to consult with the exclusive representatives of the public sector collective bargaining units. Effective 7/1/2050. (SD1)

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