STAND. COM. REP. NO. 1578

Honolulu, Hawaii

MAR 22 , 2019

RE: S.B. No. 1244

S.D. 2 H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1244, S.D. 2, H.D. 1, 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 21 falls upon the holder of the retail tobacco permit or the person registered to sell electronic cigarette smoking devices instead of an employee of the permittee or registrant.

The Department of Health and Coalition for a Tobacco-Free Hawai'i testified in support of this measure. The Retail Merchants of Hawaii, ABC Stores, Hawaii Smokers Alliance, and several individuals testified in opposition to this measure. The Department of the Attorney General provided comments.

Your Committee has amended this measure by establishing a schedule of penalties for both employees and holders of a retail tobacco permit or persons registered to sell electronic cigarette smoking devices who illegally sell tobacco products and electronic smoking devices to persons under 21.

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. 1244, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1244, S.D. 2, H.D. 2.

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

CHRIS LEE. Chair

## Record of Votes of the Committee on Judiciary

SB1244, SD2, HD   HLT,	JUD, FI	Date:	3/19/	19
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/-			
2. SAN BUENAVENTURA, Joy A. (VC)				Ale Tyrk sta
3. BROWER, Tom	nee suu suurusususususus sõtuut suu			
J. DROWER, TUIL				
4. CREAGAN, Richard P.				
5. LOWEN, Nicole E.				
6. McKELVEY, Angus L.K.			-	
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7. MORIKAWA, Dee		1 3964		
8. SAY, Calvin K.Y.				
9. TAKAYAMA, Gregg			St. C. M. W. W. W. W. C.	
10. YAMANE, Ryan I.	ten visit nos			
11. THIELEN, Cynthia				
TOTAL (11)	6	/		4
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature.				
Distribution: Original (White) - Committee Duplicate (Vellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				
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