
A BILL FOR AN ACT

RELATING TO THE REDUCED IGNITION PROPENSITY CIGARETTE PROGRAM.

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

1 SECTION 1. The legislature finds that Hawaii enacted
2 Act 218, Session Laws of Hawaii 2008, to regulate reduced
3 ignition propensity cigarettes. As stated in section 132C-1,
4 Hawaii Revised Statutes, the intent of this law is to "require
5 that only reduced ignition propensity cigarette be sold in the
6 State." Certifications for cigarettes must be renewed every
7 three years at a fee of \$375 per cigarette brand and style,
8 which must be paid to the state fire council. These fees are
9 deposited into the reduced ignition propensity cigarette special
10 fund. Moneys in the special fund are used to pay for an
11 administrator, random testing, and other administrative and
12 enforcement costs.

13 The legislature further finds that in 1979, the legislature
14 abolished the state fire marshal's office and created the state
15 fire council, which comprises the four county fire chiefs and is
16 administratively attached to the department of labor and
17 industrial relations. The goal of the state fire council is to



1 develop and maintain a comprehensive fire service management
2 network for the protection of life, property, and the
3 environment throughout the State. The state fire council is
4 tasked with reviewing and adopting the state fire code,
5 providing administrative oversight of the reduced ignition
6 propensity cigarette program, providing assistance with the
7 application and administration of federal grants for the fire
8 service, assisting and coordinating with the statewide delivery
9 of fire training programs, coordinating the collection of fire
10 data, and supporting contingency planning needs for fire
11 fighters. The council may establish statewide qualifications
12 for testing, certifying, and credentialing individuals who
13 perform maintenance and testing of portable fire extinguishers,
14 fire protection systems, and fire alarm systems. The council
15 may also advise the governor and the legislature on matters
16 related to fire prevention, fire protection, and life safety.
17 The state fire council is a voting member of the state building
18 code council, whose responsibilities are delineated in
19 section 107-24, Hawaii Revised Statutes.

20 The legislature recognizes that from its inception until
21 2001, the state fire council had no funding for staff to fulfill



1 its responsibilities. The state fire council relied upon county
2 personnel to perform its duties along with their normal
3 functions within their fire departments. In 2001, the governor
4 directed department of labor and industrial relations to
5 allocate \$35,000 into its budget to fund the first part-time
6 employee. In 2011, an additional \$71,000 was appropriated by
7 the legislature to hire two additional personnel. With money
8 from the reduced ignition propensity cigarette special fund, the
9 state fire council could hire additional personnel to oversee
10 the coordination of statewide fire data collection and analysis
11 and administer federal fire-related grants. The state fire
12 council would also be able to fund statewide educational efforts
13 for the protection of life, property, and the environment, such
14 as the statewide fire fighter's safety guide program for
15 Hawaii's youth and the residential smoke alarm installation
16 program for Hawaii's at-risk senior population.

17 Accordingly, the purpose of this Act is to authorize the
18 use of the reduced ignition propensity cigarette program special
19 fund to support the duties and responsibilities of the state
20 fire council in addition to funding the administration and



1 enforcement of the reduced ignition propensity cigarette
2 program.

3 SECTION 2. Section 132C-9, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[~~f~~]**\$132C-9[~~f~~]** **Reduced ignition propensity cigarette**
6 **program special fund.** (a) There is established in the state
7 treasury a reduced ignition propensity cigarette program special
8 fund, into which shall be deposited all moneys collected by the
9 state fire council from the reduced ignition propensity
10 cigarette program pursuant to section 132C-4. [~~All interest~~]
11 Interest earned or accrued on moneys deposited in the fund shall
12 become part of the fund.

13 (b) [~~Moneys~~] Money in the reduced ignition propensity
14 cigarette program special fund shall be administered and
15 expended by the state fire council to defray the actual cost of
16 activities and requirements of section 132C-4, including
17 employing one full-time administrator and one full-time
18 assistant whose duties include:

19 (1) Adopting administrative rules for program
20 implementation, establishing compliance inspections,



1 and approving forms and enforcement procedures and
2 guidelines;

3 (2) Receiving certifications for approximately six hundred
4 different brands and styles of cigarettes from the
5 manufacturers;

6 (3) Compiling a list of the cigarette brands and styles
7 for which manufacturers have submitted certifications,
8 verifying tax stamp compliance with the department of
9 the attorney general, and posting the list of
10 certified brands and styles on a state website for
11 informational purposes only;

12 (4) Reviewing and approving, as needed, any alternative
13 test methods or fire standard compliance markings
14 submitted by the manufacturer; and

15 (5) If needed, submitting certified cigarettes to an
16 accredited laboratory for testing to verify that
17 performance standards have been met.

18 (c) Money in the special fund may also be administered and
19 expended by the state fire council to defray the cost of
20 statewide fire prevention, education, life safety, and
21 preparedness programs, especially as they relate to youth,



1 seniors, and persons with disabilities, including the hiring of
2 administrative personnel."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 2060.



H.B. NO. 210 H.D. 1

Report Title:

State Fire Council Package; Reduced Ignition Propensity
Cigarette Program

Description:

Permits the use of the reduced ignition propensity cigarette certification fees to support the State Fire Council and its programs and activities. Effective 7/1/2060. (HD1)

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