

JAN 22 2021

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# 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 a  
2 reduced ignition propensity cigarette law effective on September  
3 30, 2009. As stated in section 132C-1, Hawaii Revised Statutes,  
4 the intent of this law is to "require that only reduced ignition  
5 propensity cigarette be sold in the State." Certifications for  
6 cigarettes must be renewed every three years at a fee of \$375  
7 per cigarette brand and style which must be paid to the state  
8 fire council. These fees are deposited into the reduced  
9 ignition propensity cigarette special fund. Moneys in the  
10 special fund are used to pay for an administrator, random  
11 testing, and other administrative and enforcement costs.

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



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

19 The legislature recognizes that from its inception until  
20 2001, the state fire council had no funding for staff to fulfill  
21 its responsibilities. The state fire council relied upon county



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

16 Accordingly, the purpose of this Act is to revise section  
17 132C-9, Hawaii Revised Statutes, to authorize the use of the  
18 reduced ignition propensity cigarette program special fund to  
19 support the duties and responsibilities of the state fire  
20 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 " ~~[+]§132C-9[+]~~ **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 upon its approval.

6

INTRODUCED BY:                     *Ann D. Kist*                      
By Request



# S.B. NO. 451

**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.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

