

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO NUISANCE ABATEMENT.

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

1           SECTION 1. The legislature finds that, according to the  
2 Center for Disease Control and Prevention, exposure to  
3 secondhand smoke has immediate adverse effects on the  
4 cardiovascular system and can cause coronary heart disease and  
5 stroke. These health risks can be exacerbated for people with  
6 mobility restrictions which prevent them from being able to  
7 avoid secondhand smoke even when inside their own residence or  
8 workplace. Therefore, the purpose of this Act is to authorize  
9 citizens to bring a nuisance abatement action under chapter 712,  
10 Hawaii Revised Statutes, to enjoin and abate nuisances related  
11 to environmental hazards, including tobacco smoke that drifts  
12 into any residential or commercial unit.

13           SECTION 2. Chapter 712, Hawaii Revised Statutes, is  
14 amended by adding a new section to part V to be appropriately  
15 designated and to read as follows:

16           "§712-       Environmental hazards; smoking. A citizen shall  
17 be entitled to bring a nuisance abatement suit under this



1 chapter to enjoin and abate nuisances that are injurious to  
2 health, indecent, offensive to the senses, or constitute an  
3 obstruction to the free use of property, so as to interfere with  
4 the comfortable enjoyment of life or property, such as nuisances  
5 relating to environmental hazards, including tobacco smoke that  
6 drifts into any residential unit a person rents, leases, or  
7 owns, from another residential or commercial unit."

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: 



# S.B. NO. 552

**Report Title:**

Nuisance; Abatement; Environmental Hazards; Tobacco Smoke

**Description:**

Authorizes citizens to bring a nuisance abatement suit under chapter 712, Hawaii Revised Statutes, to enjoin and abate nuisances related to environmental hazards, including tobacco smoke that drifts into any residential unit a person rents, leases, or owns, from another residential or commercial unit.

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