

JAN 19 2022

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

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



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

18 From its inception until 2001, the state fire council had
19 no funding for staff to fulfill its responsibilities. The
20 council relied upon county personnel to perform its duties along
21 with their normal functions within their fire departments. In



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

15 Accordingly, the purpose of this Act is to authorize the
16 use of the reduced ignition propensity cigarette program special
17 fund to support the duties and responsibilities of the state
18 fire council in addition to administering and enforcing the
19 reduced ignition propensity cigarette program.

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



1 " ~~[+]~~§132C-9~~[+]~~ Reduced ignition propensity cigarette
2 program special fund. (a) There is established in the state
3 treasury a reduced ignition propensity cigarette program special
4 fund, into which shall be deposited ~~[all]~~ moneys collected by
5 the state fire council from the reduced ignition propensity
6 cigarette program pursuant to section 132C-4. ~~[All interest]~~
7 Interest earned or accrued on moneys deposited in the fund shall
8 become part of the fund.

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

- 15 (1) Adopting administrative rules for program
16 implementation, establishing compliance inspections,
17 and approving forms and enforcement procedures and
18 guidelines;
19 (2) Receiving certifications for approximately six hundred
20 different brands and styles of cigarettes from the
21 manufacturers;



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

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

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

(c) Moneys in the special fund may also be administered and expended by the state fire council to defray the cost of statewide fire prevention, education, life safety, and preparedness programs, especially as they relate to youth, seniors, and persons with disabilities, including the hiring of administrative personnel."

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



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

2

INTRODUCED BY: _____

Muller-W.

By Request



S.B. NO. 2013

Report Title:

State Fire Council Package; Fire Protection; Reduced Ignition
Propensity Cigarette Program; Operating Expenses

Description:

Authorizes additional uses of moneys in the reduced ignition
propensity cigarette program special fund 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.*

