
HOUSE CONCURRENT RESOLUTION

URGING THE BOARD OF EDUCATION TO ADOPT RULES TO PROHIBIT THE
POSSESSION, USE, SALE, OR DISTRIBUTION OF ELECTRONIC
SMOKING DEVICES THAT DO NOT CONTAIN TOBACCO BUT DO CONTAIN
NICOTINE.

1 WHEREAS, the youth vaping epidemic is the result of evolved
2 tobacco products; and

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4 WHEREAS, "smoking" or "use of tobacco", as defined in title
5 8, chapter 19 of the Hawaii Administrative Rules, means the
6 possession, use, sale, or distribution of tobacco products on
7 campus, or other Department of Education premises, on Department
8 of Education transportation, or during a Department of Education
9 sponsored activity or event on or off school property; and

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11 WHEREAS, smoking or use of tobacco by students in the
12 public school system, on campus, or other Department of
13 Education premises, on Department of Education transportation,
14 or during a Department of Education sponsored activity or event
15 on or off school property, is considered a class C offense,
16 which is subject to appropriate disciplinary action; and

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18 WHEREAS, the existing administrative rules prohibiting
19 tobacco use and possession in public schools may not account for
20 the growing sector of new electronic smoking devices that
21 deliver nicotine to youth but do not contain tobacco; and

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23 WHEREAS, prohibiting the use of electronic smoking devices
24 that do not contain tobacco but do contain nicotine on public
25 school campuses and other Department of Education premises or
26 sponsored activities will protect the health and well-being of
27 the State's communities and youth; now, therefore,
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H.C.R. NO. 93

1 BE IT RESOLVED by the House of Representatives of the
2 Thirty-second Legislature of the State of Hawaii, Regular
3 Session of 2023, the Senate concurring, that the Board of
4 Education is urged to adopt rules that prohibit the possession,
5 use, sale, or distribution of electronic smoking devices that do
6 not contain tobacco but do contain nicotine; and

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8 BE IT FURTHER RESOLVED that certified copies of this
9 Concurrent Resolution be transmitted to the Chairperson of the
10 Board of Education and Superintendent of Education.

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13 OFFERED BY:

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