

STAND. COM. REP. NO.

120

Honolulu, Hawaii

, 2025

FEB 04

RE: H.B. No. 380

H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 380 entitled:

"A BILL FOR AN ACT RELATING TO THE REGULATION OF TOBACCO PRODUCTS,"

begs leave to report as follows:

The purpose of this measure is to repeal existing laws that:

- (1) Declare the sale of cigarettes, tobacco products, and electronic smoking devices a statewide concern; and
- (2) Preempt all local ordinances and regulations that regulate the sale of cigarettes, tobacco products, and electronic smoking devices.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Health; one member of the Kaua'i County Council; one member of the Hawai'i County Council; one member of the Maui County Council; Hawai'i State Association of Counties; Hawai'i Youth Services Network; The Friends of Kamalani and Lydgate Park; Youth Council of the Coalition for a Tobacco-Free Hawai'i; Hawaii Primary Care Association; AlohaCare; American Cancer Society Cancer Action Network; Coalition for a Tobacco-Free Hawai'i; Hamakua Health Center; Hawaii COPD Coalition; Campaign for Tobacco-Free Kids;

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Hawai'i Health & Harm Reduction Center; Hawaii Dental Association; American Heart Association; Hawaii Substance Abuse Coalition; American Lung Association; and numerous individuals. Your Committee received testimony in opposition to this measure from Marukin Market; Number One Store; VOLCANO Vape Shops; Cigar Association of America, Inc.; Discount Smoke Shop Hawaii; ABC Stores; and six individuals. Your Committee received comments on this measure from the Taxpayers Protection Alliance.

Your Committee finds that tobacco use remains the leading cause of preventable death in the State. In Hawaii alone, tobacco use claims 1,100 lives each year and creates \$336,000,000 in annual health care costs directly attributed to smoking. Most persons start smoking before the age of eighteen, with many beginning tobacco use before high school.

Your Committee further finds that the State is experiencing a youth vaping epidemic. Usage rates vary across the State. For example, while ten percent of the adult population of the State smokes, several communities have much higher rates of smoking: Puna/Ka'u has a rate of nineteen percent and Nanakuli/Wai'anae has a rate of twenty-one percent. These geographic tobacco-related disparities are a serious health problem in Hawaii. This measure allows local communities to develop local solutions for their unique circumstances by allowing counties to implement more restrictive regulations for the sale of cigarettes, tobacco products, and electronic smoking devices.

Your Committee has amended this measure by:

- (1) Inserting a savings clause;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 380, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 380,



H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



SCOT Z. MATAYOSHI, Chair



