
A BILL FOR AN ACT

RELATING TO WASTE MANAGEMENT.

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

1 SECTION 1. The legislature finds that waste from the use
2 of disposable electronic cigarettes poses significant
3 environmental problems. Disposable electronic cigarettes are
4 not recyclable and contain hazardous components like lithium
5 batteries and liquid nicotine, and also contribute to plastic
6 pollution, landfill fires, and toxic chemical leaching into
7 waterways. According to a study conducted by Truth Initiative,
8 the nation's largest nonprofit public health organization
9 dedicated to preventing youth nicotine addiction, over half of
10 young people surveyed discarded their disposable electronic
11 smoking devices in the trash, with less than a quarter reporting
12 that they recycled their devices.

13 The legislature further finds that the local and global
14 impact of the world's increasing waste stream is unsustainable
15 and detrimental to the environmental integrity of the State.
16 The exponential rise in single-use plastics and bioplastics has
17 worsened problems related to street and beach litter, ocean



1 pollution, and marine and other wildlife harm. A significant
2 portion of marine debris, estimated to be eighty per cent,
3 originates on land, primarily as escaped refuse and litter, much
4 of it plastic, via urban runoff. It is now estimated that
5 8,750,000 metric tons of plastic enter the ocean each year from
6 land-based sources.

7 The legislature notes that lithium-ion batteries used in
8 disposable electronic smoking devices pose significant fire
9 risks. Despite laws regulating the disposal of lithium-ion
10 batteries, many are improperly discarded and end up in landfills
11 or other inappropriate parts of the solid waste system. The
12 improper disposal of rechargeable lithium-ion batteries creates
13 unnecessary safety hazards for workers and surrounding
14 residents, while also posing environmental threats to the
15 State's land and water resources, including the aquifer.

16 The legislature acknowledges that according to the Bureau
17 of Investigative Journalism, at least five disposable electronic
18 smoking devices are being thrown away every second in the United
19 States, amounting to 150,000,000 devices per year. Yet, clear
20 disposal guidance from federal regulatory agencies and
21 electronic cigarette manufacturers is lacking, leaving state and



1 local governments responsible for establishing standards to
2 manage the environmental risks associated with electronic
3 smoking devices.

4 Accordingly, the purpose of this Act is to protect the
5 environment from hazardous waste associated with disposable
6 electronic smoking devices by banning the sale of these devices
7 throughout the State.

8 SECTION 2. Chapter 328J, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 **"§328J- Disposable electronic smoking devices;**
12 **prohibited.** (a) Beginning on January 1, 2027, it shall be
13 unlawful for any person or entity to sell, offer for sale, or
14 distribute for sale any disposable electronic smoking device in
15 the State.

16 (b) The sale, offer for sale, or distribution for sale of
17 between one to twenty disposable electronic smoking devices
18 shall constitute a single violation of this section.

19 (c) As used in this section, "disposable electronic
20 smoking device" means an electronic smoking device that is non-
21 refillable, has a non-rechargeable battery, or is intended to be



1 disposed of after the contents inside the device have been
2 used."

3 SECTION 3. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 4. New statutory material is underscored.

7 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

Waste Management; Disposable Electronic Smoking Devices; Sale, Offer for Sale, Distribution; Prohibition

Description:

Beginning 1/1/2027, prohibits the sale, offer for sale, or distribution for sale of any disposable electronic smoking devices in the State. Effective 7/1/3000. (HD1)

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