STAND. COM. REP. NO. 45 -26

Honolulu, Hawaii

FEB 06 , 2026

RE: H.B. No. 1573
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Health, to which was referred H.B. No. 1573 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to:

(1) Require electronic smoking device and e-liquid manufacturers to annually certify to the Department of the Attorney General that the manufacturer has received a Marketing Granted Order from the federal Food and Drug Administration and that the manufacturer is in compliance with federal regulations and state laws;

(2) Require the Department of the Attorney General to compile and make public a directory of all certified electronic smoking device and e-liquid manufacturers and products; and

(3) Establish penalties for manufacturers who fail to comply with the certification requirements and other parties who sell or offer for sale products that are not on the directory.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Health; State Health Planning and Development Agency; Coalition for a Tobacco-Free Hawai'i; Hawaii Medical Association; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Smokers Alliance and three individuals. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that as of December 29, 2025, only thirty-nine tobacco and menthol flavored e-cigarette products have received certification by the federal Food and Drug Administration and may be lawfully sold in the United States. Your Committee further finds that despite the efforts of the Food and Drug Administration, many e-cigarette products that lack a Marketing Granted Order are currently being sold in Hawaii. This measure creates a state-managed directory, parallel to and in alignment with federal regulations, and is intended to provide clarity to retailers and distributors about what e-cigarette products are compliant with federal and state regulations and are allowed for sale in the State.

Your Committee has amended this measure by:

(1) Deleting language that would have exempted certain information submitted by an electronic smoking device or e-liquid manufacturer from public disclosure;

(2) Clarifying that the civil penalty of $1,500 or $2,000 per product for a violation shall apply to the fourth or any subsequent violation in a twelve-month period;

(3) Changing the effective date to July 1, 3000, to encourage further discussion; and

(4) 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1573, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1573, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Health,

Committee on Health,

GREGG TAKAYAMA, Chair

State of Hawaii
House of Representatives
The Thirty-third Legislature

HSCR 45-26

Record of Votes of the Committee on Health

Bill/Resolution No.:	Committee Referral:	Date:
HB 1573	HLT, CPC, JHA	Feb. 4, 2026

☐ The committee is reconsidering its previous decision on the measure.

The recommendation is to: ☐ Pass, unamended (as is) ☒ Pass, with amendments (HD) ☐ Hold
☐ Pass short form bill with HD to recommit for future public hearing (recommit)

HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAYAMA, Gregg (C)	X			
2. KEOHOKAPU-LEE LOY, Sue L. (VC)	X			
3. AMATO, Terez	X			
4. HARTSFIELD, Daisy	X			
5. MARTEN, Lisa	X			
6. OLDS, Ikaika	X			
7. TAKENOUCHI, Jenna	X			
8. ALCOS III, David	X			
9. GARCIA, Diamond	X			
TOTAL (9)	9			

The recommendation is: ☒ Adopted ☐ Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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