STAND. COM. REP. NO. 3236

Honolulu, Hawaii

MAR 30 2026

RE: H.B. No. 1573
H.D. 3
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committees on Health and Human Services and Commerce and Consumer Protection, to which was referred H.B. No. 1573, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose and intent of this measure is to:

(1) Require electronic smoking device and e-liquid manufacturers to certify to the Department of the Attorney General annually that the manufacturer 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 electronic smoking device and e-liquid manufacturers and products duly certified; and

(3) Establish penalties for manufacturers that fail to comply with the certification requirements and for other parties that acquire, possess, transport, keep, sell, or offer for sale products that are not in the directory.

Your Committees received testimony in support of this measure from the Department of Health, Department of the Attorney General, State Health Planning and Development Agency, Hawai'i Public Health Institute, Hawai'i Public Health Association, The Friends of Kamalani and Lydgate Park, Hawaii COPD Coalition, Hawaii Medical Association, Hawai'i Children's Action Network Speaks!, Hawai'i Pacific Health, Hawaii Chapter of the American Academy of Pediatrics, Hawai'i Health & Harm Reduction Center, and fifteen individuals.

Your Committees received testimony in opposition to this measure from the Hawaii Smokers Alliance and three individuals.

Your Committees find that since the United States Surgeon General declared vaping a youth epidemic in 2018, the State and federal government have not put adequate protections in place to prevent the marketing of electronic smoking devices to youth. Your Committees further find that the vaping epidemic is shifting to younger ages and is rising among young adults. Without stronger action, this public health crisis will continue to harm future generations. This measure improves transparency for retailers and distributors, reduces ambiguity about what is allowed to be sold, and gives state agencies better tools to act quickly when products are clearly outside the allowed market.

Your Committees have amended this measure by:

(1) Inserting an effective date of July 1, 2026; and

(2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1573, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1573, H.D. 3, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Health and Human Services and Commerce and Consumer Protection,

JARRETT KEOHOKALOLE, Chair

JOY A. SAN BUENAVENTURA, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:*	Committee Referral:	Date:
HB 1573 HD3	HHS/CPN, JDC/WAM	3/20/2026

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
MCKELVEY, Angus L.K. (VC)				✓
KANUHA, Dru Mamo	✓			
KEOHOKALOLE, Jarrett	✓			
FEVELLA, Kurt	✓			
TOTAL	4	Ø	Ø	1

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature: [signature]

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/21/26

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:
HB 1573 HD3	HHS/CPN, JDC/WAM	03/24/2026

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
LAMOSAO, Rachele	✓			
MCKELVEY, Angus L.K.	✓			
AWA, Brenton	✓			
TOTAL	5			

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Carol Fukunaga

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*Only one measure per Record of Votes

Revised: 01/02/26