THE SENATE
THIRTY-THIRD LEGISLATURE, 2026
STATE OF HAWAII

S.B. NO. 2175

JAN 2 1 2026

A BILL FOR AN ACT

RELATING TO DISPOSABLE ELECTRONIC SMOKING DEVICES.

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

SECTION 1. The legislature finds that waste from the use of disposable electronic cigarettes poses significant environmental problems. Disposable electronic cigarettes are not recyclable and contain hazardous components like lithium-ion batteries and liquid nicotine, while also contributing to plastic pollution, landfill fires, and toxic chemicals leaching into waterways. Confusion concerning proper disposal of the devices further complicates safe waste management. According to a study conducted by Truth Initiative, over half of young people surveyed discarded their disposable smoking devices in the trash, less than a quarter saved their empty devices, and approximately an eighth reported recycling their devices.

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

pollution, and marine and other wildlife harm. An estimated eighty per cent of marine debris originates on land, primarily as escaped refuse and litter, much of it plastic, via urban runoff. It is now estimated that 8.75 million metric tons of plastic enter the ocean each year from land-based sources.

The legislature notes that the lithium-ion batteries used in disposable electronic smoking devices pose significant fire risks. Despite laws regulating the disposal of lithium-ion batteries, many are improperly discarded, resulting in their disposition in landfills or other inappropriate parts of the solid waste system.

The legislature acknowledges that according to the Bureau of Investigative Journalism, at least five disposable electronic cigarettes are thrown away every second in the United States, amounting to 150 million devices per year. Yet, clear disposal guidance from federal regulatory agencies and electronic cigarette manufacturers is lacking. State and local governments are therefore responsible for filling the regulatory gap by establishing standards to manage the environmental risks associated with electronic cigarette products.

Accordingly, the purpose of this Act is to safeguard the environment from hazardous electronic cigarette waste by banning the sale of certain disposable electronic cigarettes throughout the State.

SECTION 2. Chapter 339, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"**§339- Disposable electronic smoking devices; prohibited.** (a) Beginning January 1, 2027, it shall be unlawful for any person or entity to sell, offer for sale, or distribute, directly or indirectly, a disposable electronic smoking device.

(b) The unlawful sale of not more than twenty disposable electronic smoking devices pursuant to subsection (a) shall constitute a single violation of this section.

(c) As used in this section, "disposable electronic smoking device" means any electronic product that:

(1) Can be used to aerosolize and deliver nicotine or other substances to the person inhaling the device;

(2) Is not refillable, has a non-rechargeable battery, and is intended to be discarded after use; and

(3) Includes an electronic cigarette, electronic cigar, electronic cigarillo, or electronic pipe, and any cartridge or other component of the device or related product.

"Disposable electronic smoking device" does not include a device authorized for sale by a marketing order issued by the United States Food and Drug Administration pursuant to title 21 United States Code section 387j."

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

SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY: _____

S.B. NO. 2175

Report Title:
Disposable Electronic Smoking Devices; Prohibition

Description:
Beginning 1/1/2027, prohibits selling, offering for sale, or distributing certain disposable electronic smoking devices.

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