
A BILL FOR AN ACT

RELATING TO DISPOSABLE ELECTRONIC SMOKING DEVICES.

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 smoking devices poses significant
3 environmental problems. Disposable electronic smoking devices
4 are not recyclable, contain hazardous components like lithium
5 batteries and liquid nicotine, and 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. An estimated
2 eighty per cent of marine debris originates on land, primarily
3 as escaped refuse and litter, much of it plastic, via urban
4 runoff. It is now estimated that 8,750,000 metric tons of
5 plastic enter the ocean each year from land-based sources.

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

15 According to the Bureau of Investigative Journalism, at
16 least five disposable electronic smoking devices are being
17 thrown away every second in the United States, amounting to one
18 hundred fifty million devices per year. Yet, clear disposal
19 guidance from federal regulatory agencies and disposable
20 electronic smoking device manufacturers is lacking, leaving
21 state and local governments responsible for establishing



1 standards to manage the environmental risks associated with
2 disposable electronic smoking devices.

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

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

10 "§328J- Disposable electronic smoking devices;
11 prohibited. (a) Beginning on January 1, 2027, it shall be
12 unlawful for any person or entity to sell, offer for sale, or
13 distribute for sale any disposable electronic smoking device in
14 the State.

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

18 (c) Violations of subsection (a) shall be subject to a
19 fine of up to \$100 per day for each violation.

20 (d) For the purposes of this section, "disposable
21 electronic smoking device" means an electronic smoking device,



1 as defined in section 245-1, that is non-refillable, has a
2 non-rechargeable battery, and is intended to be disposed of
3 after the contents inside the electronic smoking device have
4 been used. "Disposable electronic smoking device" does not
5 include a device authorized for sale by a marketing granted
6 order issued by the United States Food and Drug Administration
7 pursuant to title 21 United States Code section 387j."

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

11 SECTION 4. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 2026.



S.B. NO. 2175
S.D. 2
H.D. 2
C.D. 1

Report Title:

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

Description:

Beginning 1/1/2027, prohibits the sale, offer for sale, or distribution for sale of any disposable electronic smoking devices in the State. Establishes penalties. (CD1)

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