

Honolulu, Hawaii

, 2026

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RE: H.B. No. 1563

H.D. 2

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

Madame:

Your Committee on Consumer Protection & Commerce, to which  
was referred H.B. No. 1563, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Repeal existing law that provides that all local ordinances and regulations regulating the sale of cigarettes, tobacco products, and electronic smoking devices are preempted and that existing laws and regulations that conflict with the state law on smoking are null and void; and
- (2) Clarify that counties retain the authority to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices so long as they do not conflict and are more stringent than the state law on smoking.

Your Committee received testimony in support of this measure from the Department of Health; State Health Planning and Development Agency; one member of the Hawai'i County Council; Hawai'i State Association of Counties; Hawaii COPD Coalition; American Lung Association; Hawai'i Pacific Health; The Friends of



Kamalani & Lydgate Park; Hawai'i Children's Action Network Speaks!; Hawaii Substance Abuse Coalition; Hawaii Medical Association; Parents And Children Together; Hawai'i Health & Harm Reduction Center; Coalition for a Tobacco-Free Hawai'i; Coalition for a Tobacco-Free Hawai'i Youth Council; Hawai'i Chapter of the American Academy of Pediatrics; AlohaCare; Hawaii Primary Care Association; Campaign for Tobacco-Free Kids; Tobacco-Free Kids Action Fund; American Heart Association; Hawai'i Public Health Association; UH Student Health Advisory Council; Hina Mauka; Habilitat, Inc.; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Smokers Alliance; Cigar Association of American, Inc.; and five individuals. Your Committee received comments on this measure from the Department of the Attorney General and American Cancer Society Cancer Action Network.

Your Committee finds that geographic tobacco related disparities are a serious public health problem in the State and innovative, community-based solutions are needed. While nine percent of adults in the general population smoke, adults in Hawaii County have the highest prevalence of smoking at 14.5 percent. Smoking rates within some communities are higher, such as in Puna/Kau at 20.7 percent and Lahaina/Wailuku at 15.4 percent. For young adults ages eighteen to twenty-four, Maui County has the highest electronic smoking device use at twenty-five percent.

Your Committee further finds that, historically, local communities in the State have been visionaries in adopting strong and innovative public health and tobacco control policies that have changed social norms across the State. All counties passed the clean indoor law (smoke-free workplaces) before the State passed legislation. Hawaii County raised the age to purchase tobacco products to twenty-one before the rest of the State. This measure will return the authority to the counties to regulate tobacco products.

Your Committee has amended this measure by:

- (1) Deleting language that could be inadvertently interpreted as limiting the counties' existing authority to regulate smoking; and



- (2) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1563, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1563, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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SCOT Z. MATAYOSHI, Chair



