

STAND. COM. REP. NO. 3012

Honolulu, Hawaii

MAR 06 2026

RE: S.B. No. 2175
S.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2175, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DISPOSABLE ELECTRONIC SMOKING DEVICES,"

begs leave to report as follows:

The purpose and intent of this measure is to, beginning January 1, 2027, prohibit selling, offering for sale, or distributing certain disposable electronic smoking devices.

Your Committee received testimony in support of this measure from the Department of Health; University of Hawai'i System; Hawai'i Health & Harm Reduction Center; Hawaii COPD Coalition; Hawai'i Public Health Association; Hamakua Health Center, Inc.; University of Hawai'i Student Health Advisory Council; AlohaCare; Hawai'i Public Health Institute; Hawai'i Children's Action Network Speaks!; Coalition for a Tobacco-Free Hawai'i Youth Council; and twenty-four 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 Tobacco Harm Reduction 101 and one individual.



Your Committee finds that disposable e-cigarettes are especially popular among adolescents and young adults because they are convenient, flavored, inexpensive, and socially appealing. Surveys have found that between sixty-five and eighty percent of youth who vape, especially with disposables, have never smoked cigarettes and disposable users are more likely to be unaware of nicotine's addictive properties. Additionally, there is no evidence suggesting that disposable e-cigarettes promote smoking cessation. This measure will protect the health of the people and environment in the State.

Your Committee notes the concern raised by the Department of Health that this measure, in its current form, places the restriction on the sale of disposable electronic smoking devices in chapter 339, Hawaii Revised Statutes (HRS), relating to litter control, which would not be enforceable by the Department. Therefore, amendments are necessary to address this concern.

Your Committee has amended this measure by:

- (1) Replacing language that would have established the prohibition on the sale of electronic smoking devices in chapter 339, HRS, with language establishing the prohibition in chapter 328J, HRS, relating to smoking;
- (2) Inserting a penalty of an unspecified amount to be imposed on a person or entity who sells, offers for sale, or distributes a disposable electronic smoking device;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2175, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2175, S.D. 2.



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



KARL RHOADS, Chair



