

STAND. COM. REP. NO. 2550

Honolulu, Hawaii

FEB 20 2026

RE: S.B. No. 2410
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 S.B. No. 2410 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 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 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 sell products that are not in the directory.

Your Committees received testimony in support of this measure from the Department of the Attorney General, Department of Health, State Health Planning and Development Agency, AlohaCare, Hawai'i



Public Health Institute, Hawaii COPD Coalition, Hawaii Medical Association, Hamakua-Kohala Health, Hawai'i Health & Harm Reduction Center, and nine individuals.

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

Your Committees received comments on this measure from the Office of Information Practices.

Your Committees find that there are thousands of unauthorized e-cigarette products on the market driving youth initiation and uptake. The Food and Drug Administration (FDA) is responsible for regulating the e-cigarette industry. To meet FDA standards, an e-cigarette must assist adult smokers in reducing their use of combustible cigarettes without appealing to youth; however, permissive federal enforcement practices leave many unauthorized e-cigarette products with submitted pending premarket tobacco product applications on the market. Consequently, e-cigarettes remain available in stores and online to youth. Additional legislation and enforcement at the state level is necessary to ensure that retailers comply with federal regulations. This measure will create a state-managed directory, parallel to and in alignment with federal regulations, to provide clarity to retailers and distributors about the list of authorized FDA products and eliminate illegal products from the State's market.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 30, 2050, to encourage further discussion; 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 S.B. No. 2410, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2410, 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

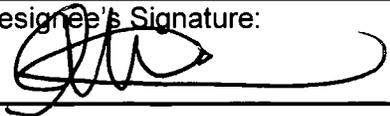


JOY A. SAN BUENAVENTURA, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:* SB 2410	Committee Referral: HHS/CPN, JDC/HAM	Date: 2/6/2026		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> 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	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink File with Committee Report Committee Drafting Agency				

*Only one measure per Record of Votes

