



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

H.B. NO. 1563, H.D. 1, RELATING TO TOBACCO PRODUCTS.

BEFORE THE:

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

DATE: Thursday, February 12, 2026 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 329

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Chelsea N. Okamoto, Deputy Attorney General

Chair Matayoshi and Members of the Committee:

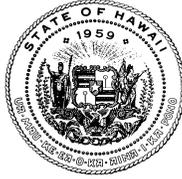
The Department of the Attorney General (Department) supports this bill and offers the following comments.

This bill would repeal section 328J-11.5, Hawaii Revised Statutes (HRS), which currently preempts county ordinances regulating the sale of tobacco products, and would amend section 328J-15, HRS. Hawaii's youth has been disproportionately affected by the nationwide vaping epidemic, and the Department supports restoring counties' authority to adopt more stringent ordinances to regulate the sale of these harmful and addictive products that are targeted at our youth.

The Department is concerned, however, that the amendments to section 328J-15, HRS, in section 3 of the bill (page 5, lines 5-12) could be inadvertently interpreted to limit the counties' existing authority to regulate smoking. Accordingly, the Department recommends that the bill simply repeal section 328J-11.5, HRS, without amending section 328J-15.

The Department also asks that the Committee change the defective effective date to the original effective date of July 1, 2026.

We respectfully ask the Committee to pass this bill with the recommended revisions. Thank you for the opportunity to testify.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P.O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in SUPPORT of H.B. 1563, H.D.1
RELATING TO TOBACCO PRODUCTS

REPRESENTATIVE SCOT Z. MATAYOSHI, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

Hearing Date: February 12, 2026, 2:00 PM

Room Number: Conference Room 329
and Videoconference

1 **Fiscal Implications:** None

2 **Department Position:** The Department of Health (DOH) supports House Bill 1563, House Draft 1
3 (H.B. 1563, H.D. 1) to reestablish the legal authority of Hawaii's counties to enact policies that
4 regulate the sale of cigarettes, tobacco products, and electronic smoking devices (ESDs) that do
5 not conflict with and are more stringent than state law. H.B. 1563, H.D. 1 repeals existing law
6 that preempts all local ordinances or regulations that regulate the sale of cigarettes and
7 tobacco products including ESDs.

8 **Department Testimony:** Prior to [Act 206, HB1895 CD1, 2018 Hawaii Session Laws \(HSL\)](#) that
9 amended Section 328J-11.5, HRS, county residents and elected officials rallied to pass
10 regulations to protect the most vulnerable members of their communities from the sale and
11 promotion of tobacco products. Historically, local communities in Hawaii have been visionaries
12 in adopting strong and innovative public health and tobacco control policies that changed social
13 norms across the entire state. Smoke-free restaurants, worksites, beaches and parks, and
14 automobiles with minors inside are examples of public health protective ordinances that were
15 generated by counties. Hawaii's landmark legislation, the Tobacco 21 Law (Act 122, 2015 HSL),
16 was initially introduced and passed by the Hawaii County Council in 2014.

1 Geographic tobacco related disparities are a serious public health problem in Hawaii and
2 innovative, community-based solutions are needed. While 9% of adults in the general
3 population smoke, adults in Hawaii County have the highest prevalence of smoking at 14.5%.¹
4 Smoking rates within some communities are higher such as in Puna/Ka'u (20.7%) and
5 Lahaina/Wailuku (15.4%).² For young adults ages 18-24, Maui County had the highest current
6 ESD use at 25% compared to Hawaii County (23%), Honolulu (21%) and Kauai (16%).³ According
7 to the 2023 Hawaii Youth Risk Behavior Survey results, Hawaii and Maui County high school
8 youth reported current ESD use at 15%, compared to Kauai and Honolulu at 12%.⁴ In 2023,
9 while there was an uptick in middle school ESD use overall, Hawaii County middle schoolers still
10 had the highest prevalence for all measures including ever (22%), current (14%), frequent (5%),
11 and daily (4%) use.^{5,6,7,8} Counties and communities are concerned over the continued
12 marketing of tobacco products and want the ability to respond to pressing local needs,
13 especially in jurisdictions that bear a greater burden of tobacco use.

14 According to Julie Aoki in the Journal of Law and Medical Ethics, "From a health equity
15 standpoint, the use of local knowledge to forge community-specific solutions enables localities
16 to employ a targeted approach to combat health disparities and ensue equitable access to

¹ Hawai'i IBIS - Query Result - Hawaii's Behavioral Risk Factor Surveillance System (BRFSS) Data - Cigarettes - current smoker. Accessed January 30, 2026. https://hhdw.org/report/query/result/brfss/SmokeCurrent/SmokeCurrentCrude11_.html

² Hawai'i IBIS - Query Result - Hawaii's Behavioral Risk Factor Surveillance System (BRFSS) Data - Cigarettes - current smoker. Accessed January 30, 2026. https://hhdw.org/report/query/result/brfss/SmokeCurrent/SmokeCurrentCrude11_.html

³ Hawai'i IBIS - Query Result—Hawaii's Behavioral Risk Factor Surveillance System (BRFSS) Data—Cigarettes—Current E-cig. (2022). Retrieved January 27, 2025, from https://hhdw.org/report/query/result/brfss/SmokeECigsCurr/SmokeECigsCurrCrude11_.html

⁴ Hawai'i IBIS - Query Result—Hawaii's Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Current use, High Schools, County-level. (2023). Retrieved January 24, 2025, from https://hhdw.org/report/query/result/yrbs/VaporCurr/VaporCurr_HS_CNTY.html

⁵ Hawai'i IBIS - Query Result—Hawaii's Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Ever use, Middle Schools, County-level. (2023). Retrieved January 27, 2025, from https://hhdw.org/report/query/result/yrbs/VaporEver/VaporEver_MS_CNTY.html

⁶ Hawai'i IBIS - Query Result—Hawaii's Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Current use, Middle Schools, County-level. (2023). Retrieved January 24, 2025, from https://hhdw.org/report/query/result/yrbs/VaporCurr/VaporCurr_MS_CNTY.html

⁷ Hawai'i IBIS - Query Result—Hawaii's Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Frequent use, Middle Schools, County-level. (2023). Retrieved January 27, 2025, from https://hhdw.org/report/query/result/yrbs/VaporFreq/VaporFreq_MS_CNTY.html

⁸ Hawai'i IBIS - Query Result—Hawaii's Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Daily use, Middle Schools, County-level. (2023). Retrieved January 27, 2025, from https://hhdw.org/report/query/result/yrbs/VaporDaily/VaporDaily_MS_CNTY.html

1 better public health.”⁹ Hawaii’s counties understand their youth and must be empowered to
2 respond to policy requests from communities that are most affected.

3 The DOH supports H.B. 1563, H.D. 1 as an important public health and social justice
4 measure to support community-based innovations to protect and advance the health and
5 opportunities for adults and keiki wherever they live in Hawaii.

6 **Offered Amendments:** None

7 Thank you for the opportunity to testify on this measure.

⁹ Julie Ralston Aoki et al., *Maximizing Community Voices to Address Health Inequities: How the Law Hinders and Helps*, 45 J. Law Med. Ethics, 11 (2017)



**STATE HEALTH PLANNING
AND DEVELOPMENT AGENCY**
DEPARTMENT OF HEALTH - KA 'OIHANA OLAKINO

JOSH GREEN, MD
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII

KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKOLE

JOHN C. (JACK) LEWIN, MD
ADMINISTRATOR

LATE

February 11, 2026

TO: HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Representative Scot Z. Matayoshi, Chair
Representative Tina Nakada Grandinetti, Vice Chair
Honorable Members

FROM: John C. (Jack) Lewin, MD, Administrator, SHPDA, and Sr. Advisor to
Governor Josh Green, MD on Healthcare Innovation

RE: HB 1563_HD1 -- RELATING TO TOBACCO PRODUCTS

HEARING: Thursday, February 12, 2026 @ 2:00 pm; Conference Room 329

POSITION: SUPPORT with COMMENTS

Testimony:

SHPDA strongly supports HB1563_HD1. We believe this bill will restore counties' authority to adopt and enforce more stringent local ordinances regulating the sale of cigarettes, tobacco products, and electronic smoking devices, rather than having to wait for state law to preempt stronger county protections.

This is a practical public health step that allows for faster, locally targeted responses to youth vaping and tobacco harms, especially in rural and neighbor island communities. Neighbor island communities know their keiki and the realities of their own retail environments, schools, and youth social patterns sometimes far better than any statewide process can capture in real time. Restoring county authority allows them to act quickly with common-sense, community based protections, without waiting for the us at the State to move first while products, marketing, and access points move at a rapid pace.

We defer to the Hawai'i Department of Health and the counties on technical implementation details and fiscal impacts, and reiterates its support for HB1563_HD1 with an emphasis on clarity and accountability.

Mahalo for the opportunity to testify. -- Jack Lewin, MD, Administrator, SHPDA



Testimony of the Hawai'i State Association of Counties

H.B. No. 1563 HD1 - Support

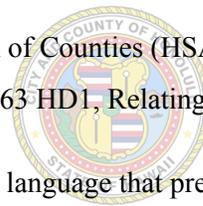
Relating to Tobacco Products

Committee on Consumer Protection and Commerce

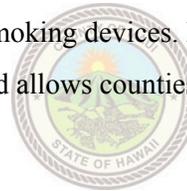
Thursday, February 12, 2026, 2 p.m.



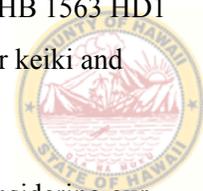
The Hawai'i State Association of Counties (HSAC) appreciates the opportunity to provide testimony in **strong support** of HB 1563 HD1, Relating to Tobacco Products.



This measure repeals statutory language that preempts counties from adopting ordinances to regulate the sale of cigarettes, tobacco products, and electronic smoking devices. Restoring local authority in this area is critical to addressing the youth vaping epidemic and allows counties to implement tailored policies that meet the unique needs of their communities.



The statistics are clear: tobacco use, particularly among youth, remains an alarming public health concern. As local governments, counties are uniquely positioned to respond swiftly and effectively to public health challenges in ways that reflect the values and priorities of their residents. HB 1563 HD1 empowers counties to take meaningful action to protect the health and well-being of our keiki and communities.

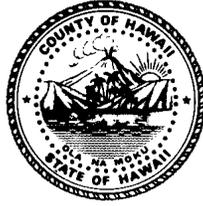


We urge the committee to advance this important legislation. Thank you for considering our testimony, and we stand ready to assist in your efforts to support public health.

Nahelani Parsons, Executive Director

Hawai'i State Association of Counties

Jennifer Kagiwada
Council Member District 2 South Hilo



Office: (808) 961-8272
jennifer.kagiwada@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: February 11, 2026
TO: House Committee on Consumer Protection & Commerce
FROM: Jennifer Kagiwada, Council Member
Council District 2
SUBJECT: HB 1563

Aloha Chair Matayoshi, Vice Chair Grandinetti and esteemed Committee Members,

I **strongly support** HB1563. Restoring county authority to regulate the sale of tobacco products gives counties the ability to respond quickly to public health concerns, especially as youth vaping and nicotine addiction continue to rise. Local governments are often in the best position to understand what their communities need and to act before problems worsen.

Counties in Hawai'i also have a strong history of leading successful public health policies, including Tobacco 21 and smoke -free air protection. Reducing tobacco use helps protect our residents, lowers long-term healthcare costs, and supports healthier communities across the state.

For these reasons, I urge your support of HB1563.

Mahalo,

A handwritten signature in black ink, appearing to read "Jenn Kagiwada".

Jenn Kagiwada



Hawaii COPD Coalition

P O Box 240053

Honolulu, HI 96824

hicopd@gmail.com

(808)699-9839

February 9, 2026

RE: **Please hear and Pass HB1563, Relating to Tobacco Products**

Dear Chair Matayoshi and Vice Chair Grandinetti and members of the House Consumer Protection & Commerce Committee:

This measure is extremely critical to the health of the children of our state and our entire state as well. **Please hear AND pass HB1563, HD1** which would restore local authority to regulate the sale of tobacco products to the counties, who were effectively controlling the issues arising in their communities. The Big Island, Kauai and Honolulu County have measures in their counties ready to be enacted as soon as this bill is effective!

I am Executive Director of the Hawaii COPD Coalition and serve over 45,000 Hawaii adults diagnosed with COPD in Hawaii (with an estimated equal number still undiagnosed). Chronic Obstructive Pulmonary Disease or COPD is an umbrella of diseases which include emphysema, chronic bronchitis and chronic asthma. Since 2007, I have worked in Hawaii, nationally and internationally with countless people who have had their lungs and lives horribly affected by tobacco and nicotine. Many of these people have become disabled and unable to perform jobs and hobbies they enjoyed, spending a lot more time and resources with healthcare providers and requiring support from society than they or any of us would like.

- Tobacco use is the leading cause of preventable deaths.
- 1,400 people die in Hawai'i each year from tobacco use, cutting a decade off the average smoker's life.
- Half of smokers die from tobacco-related disease.
- In Hawai'i more than 13% of high schoolers and 10% of middle schoolers reported using e-cigarettes in 2023.
- 82% of registered Hawai'i voters support restoring county authority.

Please help protect the lungs and lives of our people from flavored and mislabeled nicotine products. We urge you to **please HEAR and vote in favor of HB1563, HD1 pass it out of committee so our counties can control the tobacco issues that are creating havoc in their communities.** The Hawaii COPD Coalition thanks you very much for your careful consideration of this most important and timely bill.

Very truly yours,

Valerie Chang

Valerie Chang
Executive Director

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Scot Z. Matayoshi, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

Thursday, February 12, 2026

2:00 PM – Room 329

Testimony In Support of House Bill 1563 HD1 Relating to Tobacco Products

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education, and advocacy. The work of the American Lung Association in Hawai'i and across the nation is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases.

The American Lung Association calls on Hawai'i officials to support House Bill 1563 HD1 which repeals existing law that preempted local ordinances or regulations that regulate the sale of cigarettes, tobacco products, and electronic smoking devices and nullified and voided any conflicting local laws and regulations.

The need for Hawai'i to protect youth from tobacco is more urgent than ever, with youth e-cigarette use reaching epidemic levels. According to the Centers for Disease Control, in 2019, the last year that CDC was able to collect data in comparable ways as previous years and (2021 was affected by school shutdowns and school-from-home protocol due to COVID-19), the nearly every 1 in 3 high schoolers in Hawai'i vape regularly. This is an over 70% increase in youth vaping rates since 2017. Native Hawaiians and Pacific Islanders have even higher vaping rates than the youth state average.¹

Preemption is a legal concept where a higher level of government restricts or even eliminates the authority of a lower level of government to regulate an issue. Federal laws can preempt state and local laws, and state laws can preempt local laws. As a practice, preemption can slow or stop community solutions addressing a wide range of health and social issues including tobacco, food, alcohol, and climate change.²

Enacting policies at the local level is one of the best ways to make progress in tobacco control. In fact, many tobacco control policies that have succeeded in Hawai'i have in fact been passed and tested at the local level, including smoke-free workplaces, smoke-free restaurants, restricting sales of tobacco to those 21 and over. We need to enact laws that are proven to reduce tobacco use.

By blocking the power of local elected officials to protect youth and failing to take any meaningful action at the state level, we risk another generation addicted to deadly tobacco products. Preventing local control over the sale and marketing of tobacco products has been a favorite tactic of the tobacco industry to stop the passage of effective policies to reduce tobacco use and save lives.

Hawai'i is a full diversity, where the needs of different counties vary widely. Because of this, we must give local governments the ability to develop the best laws to protect their citizens. The American Lung Association

¹ American Lung Association. *State of Tobacco Control – Hawai'i*. 2025

² Pertschuk, M, Pomeranz, JL, Aoki, JR, Larkin, MA, Paloma, M. Assessing the Impact of Federal and State Preemption in Public Health: A Framework for Decision Makers. *J Public Health Management Practice*. 2012

believes that local governments should be allowed to respond to public health issues, like the youth e-cigarette epidemic, in ways that work for their communities.

The American Lung Association in Hawai'i urges legislators to continue to support and advocate for policies to protect youth from tobacco use by allowing local governments to create solutions that work for them. We urge for your support of House Bill 1563 HD1.

Pedro Haro
Executive Director
American Lung Association in Hawai'i
pedro.haro@lung.org

Thursday, February 12, 2026; 2:00p.m.
Conference Room 329 & Video Conference

House Committee on Consumer Protection & Commerce

To: Representative Scott Matayoshi, Chair
Representative Tina Grandinetti, Vice Chair

From: Michael Robinson
Vice President, Government Relations & Community Affairs

Re: **HB 1563, HD1 – Testimony In Support
Relating to Tobacco Products**

My name is Michael Robinson, and I am the Vice President of Government Relations & Community Affairs at Hawai'i Pacific Health. Hawai'i Pacific Health is a not-for-profit health care system comprised of its four medical centers – Kapi'olani, Pali Momi, Straub and Wilcox and over 70 locations statewide with a mission of creating a healthier Hawai'i.

I am writing in SUPPORT of HB 1563, HD1 which repeals existing law that preempts local ordinances or regulations that regulate the sale of cigarettes, tobacco products, and electronic smoking devices and voids any existing local laws and regulations conflicting with the state law governing smoking. The measure further allows counties to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices that do not conflict with and are more stringent than the state law that governs smoking.

Tobacco use remains the leading cause of preventable disease and death in the United States and in Hawai'i. Tobacco use is a serious public health problem in terms of the human suffering and loss of life it causes, as well as the financial burden it imposes on society and our healthcare system. In Hawaii, approximately \$611 million is spent annually on healthcare costs directly attributed to smoking. Smoking-related illnesses result in an estimated \$1.1 billion in lost productivity each year. E-cigarette use or vaping among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawaii have decreased through the years, electronic smoking device (ESD) use has rapidly increased.

The counties have demonstrated that they are uniquely positioned to quickly address the health needs of their communities and have been utilizing that ability to great success. Historically, Hawaii has passed forward-thinking legislation to address the high usage of

tobacco products. These policies were first adopted at the county level to quickly address the counties' need to protect their communities from the relentless promotional targeting by tobacco companies. The county of Hawaii, City and County of Honolulu, and county of Maui, have introduced local legislation to prohibit the sale of flavored tobacco products to deal with the unique susceptibility of youths to the marketing of such products. This prohibition is not in conflict with and is more stringent than the restrictions of chapter 328J, Hawaii Revised Statutes. However, this legislation cannot be enacted until existing state law preempting county ordinances on the sale of tobacco products is repealed. HB 1563 would eliminate the preemption of local ordinances that regulate the sale of cigarettes, tobacco products and electronic smoking devices, thus enabling the counties to more effectively tackle the health and social problems related to smoking and ESD use.

Thank you for the opportunity to provide testimony on this measure.

**Committee
Members**

Annaleah Atkinson
808 652-7743

Regina Floyd
702 292-2372

Brian Foster
808 639-3529

Kristen Greene
808 346-0386

Doug Haigh
808 635-1120

Diana Harvey
530 635-7052

Barbara Honeycutt
541 251-1487

Dave Lister
618 237-9138

Scott McCubbins
816 781-5883

Graeme Merrin
808 651-7211

Ryan Moen
808 651-0726

Tommy Noyes
808 639-1018

Jessica Pinson
937 901-5818

Doug Shannon
909 496-1188

Valerie Woods
808 822-2420

Ron Wiley
808 245-9527

Tom Worthen
435 994-0023



February 10, 2026

House Committee on Consumer Protection and Commerce

Rep. Scot Z. Matayoshi, Chair; Rep. Tina Nakada Grandinetti, Vice Chair; and Members Rep. Cory M. Chun, Rep. Nicole E. Lowen, Rep. Greggor Ilagan, Rep. Lisa Marten, Rep. Linda Ichiyama, Rep. Adrian K. Tam, Rep. Kim Coco Iwamoto, Rep. Elijah Pierick, and Rep. Sam Satoru Kong

Strong Support for HB 1563, RELATING TO TOBACCO PRODUCTS.

Repeals the preemption on county ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices. Allows counties to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices that do not conflict with and are more stringent than the state law that governs smoking.

Aloha House Committee on Consumer Protection and Commerce Members,

I represent the Friends of Kamalani & Lydgate Park, a community service organization that built a major playground in Lydgate Beach Park on Kaua'i in 1994. Every weekend we bring families together to work collaboratively, sustaining that facility and other attractive features of that popular regional park.

For more than a century, the tobacco industry has worked relentlessly to lure as many people as possible to its addictive products. Tobacco use is the leading cause of preventable death in Hawai'i, claiming more than 1,400 lives each year. Lifelong tobacco use cuts a decade off the average smoker's life. Half of smokers will die from a tobacco-related disease.

In the last twenty years, cigarette use has declined from 17% of adults to just 9%. However, that progress is being undermined by the rapid rise of e-cigarettes. This has more than doubled since 2016, from 4% of adults nearly a decade ago to 10% today.

Over 90% of adult tobacco users began smoking as children. This is why Big Tobacco targets youth with sweet, fruit-flavored products like mango and cotton candy. Enticing flavors mask the chemical harshness and health risks of nicotine, and make addiction much more likely.

The industry's aggressive tactics are unfortunately working. 4 out of 5 youth who use tobacco begin with a flavored product. Overall, 13% of Hawaii's high school students report using e-cigarettes, along with 10% of middle schoolers. These numbers are appallingly worse for our Native Hawaiian and Pacific Islander youth, whose e-cigarette use rates of 17% and 27% far exceed those of other groups.

The tobacco companies are preying on our precious keiki for profit. We must stop them.

Hawai'i has a long history of leadership in fighting against Big Tobacco. We were one of the first states to pass clean air laws, protecting people from tobacco smoke exposure in public spaces like restaurants and workplaces. In 2014, Hawai'i County raised the tobacco sales age to 21. The State followed suit in 2016, becoming the first in the nation to pass this landmark legislation and set the stage for nationwide adoption in 2019.

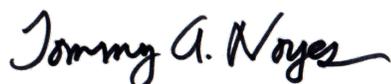
Yet, progress since then has been stymied. In the final days of the 2018 state legislative session, tobacco lobbyists convinced lawmakers to slip deceptive language into a simple kidney dialysis bill to block counties from regulating tobacco sales. Eleventh hour tactics like this are no longer legal, as they've since been ruled unconstitutional and could not pass today.

As the youth vaping epidemic continues to harm our shores, Hawaii's counties have proactively passed laws banning flavored tobacco products. Yet, because of the 2018 preemptive bill, the state blocks those county protections from taking effect.

As the Trump administration has dismantled the CDC's Office on Smoking and Health and cut funding for local cessation and prevention programs, it's more important than ever for our state to take responsibility for defending public health and strengthening tobacco regulations. The state must act now to recognize the value of home rule. Hawaii must return power to the counties and ban the sale of flavored tobacco products that target our children.

County leaders have paved the way before, driving statewide and national progress. Giving counties the freedom to protect their residents will restore Hawai'i's legacy of leadership in spearheading policy changes that prioritize the health and well-being of vulnerable communities. With 86% of our voters agreeing that counties should have the power to regulate tobacco sales, the time to restore the counties' authority is now.

Rather than allowing the tobacco industry to continue to entice our children into a lifetime of addiction, we urge you as state leaders to now do the right thing—act honorably and swiftly ban flavored tobacco products. This can save future generations from the preventable suffering that comes with tobacco use.



Tommy A. Noyes
General Coordinator
The Friends of Kamalani and Lydgate Park

To: House Committee on Consumer Protection & Commerce
Re: **HB1563 HD1 – Relating to Tobacco Products**
Hawai'i State Capitol & Via Videoconference
February 12, 2026, 2:00 PM

Dear Chair Matayoshi, Vice Chair Grandinetti, and Committee Members,

On behalf of Hawai'i Children's Action Network Speaks!, I am writing in **SUPPORT of HB1563 HD1**. This bill repeals the preemption on county ordinances, and allows counties to adopt ordinances, that regulate the sale of cigarettes, tobacco products, and electronic smoking devices that do not conflict with and are more stringent than the state law that governs smoking.

Hawai'i has some of the highest youth e-cigarette use rates in the nation, with more than 1 in 4 (29%) of high school and 1 in 6 (17%) of middle school students having tried e-cigarettes.¹ Flavored products play a major role in attracting young users, and Hawai'i was recently given a grade of "F" in the ending of the sale of all flavored tobacco products by the American Lung Association.²

Hawai'i's counties have long been national leaders in tobacco regulation, pioneering policies such as raising the tobacco sales age to 21 and banning smoking in parks and beaches. In 2018, state law stripped counties of their authority to regulate tobacco sales, limiting their ability to respond to local public health needs.³

This has been especially harmful as flavored nicotine products continue to hook our keiki. Restoring county authority would allow local governments to implement effective, innovative policies—such as ending the sale of flavored tobacco—to better protect our children and youth and reduce smoking-related harm in their communities.

Mahalo for the opportunity to provide this testimony. Please pass this bill.

Thank you,

Nicole Woo
Director of Research and Economic Policy

¹ <https://hhdw.org/report/query/selection/yrbs/ YRBSSelection.html>

² <https://www.lung.org/media/press-releases/fy26-sotc-hawaii>

³ https://health.hawaii.gov/news/newsroom/department-of-health-extends-stronger-together-campaign-exposing-tobacco-industry-targeted-marketing-to-hawaiis-youth/#_ftn2



HB1563 HD1 Allows Counties to Regulate Tobacco Regulations
COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Scot Matayoshi, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

Thursday, Feb. 12, 2026: 2:00: Room 329 Videoconference

ALOHA CHAIR, VICE CHAIR, AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the ad hoc leader of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies and recovery-oriented services including transitional housing.

Hawaii Substance Abuse Coalition Supports HB1563 HD1.

HSAC is in full support to regulate e-cigarettes to children because of the huge impact that vaping has with children.

- Counties have demonstrated their capability to manage tobacco-related policies.
- Giving the counties the freedom to manage their own regulations at the point of sale for tobacco products helps them to better respond to their constituents.
- The counties support this measure as it was part of the Hawai'i Association of Counties legislative package.
- This measure does not affect tax.

Giving counties the ability to quickly address the unique health needs of their communities will result in better overall health.

We appreciate the opportunity to testify and are available for questions.



Hawaii Medical Association

1360 South Beretania Street, Suite 200 • Honolulu, Hawaii 96814
Phone: 808.536.7702 • Fax: 808.528.2376 • hawaiimedicalassociation.org

HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

Representative Scot Z. Matayoshi, Chair
Representative Tina Nakada Grandinetti, Vice Chair

Date: February 12, 2026
From: Hawaii Medical Association (HMA)
Elizabeth Ann Ignacio MD - Chair, HMA Public Policy Committee
Christina Marzo MD and Robert Carlisle MD, Vice Chairs, HMA Public Policy Committee

RE HB 1563HD1 RELATING TO TOBACCO PRODUCTS. Keiki Caucus; Cigarettes, Tobacco Products, and Electronic Smoking Devices; Sale; Regulation; County Authority
Position: **Support**

This measure would repeal existing law that preempts local ordinances or regulations that regulate the sale of cigarettes, tobacco products, and electronic smoking devices and voids any existing local laws and regulations conflicting with the state law governing smoking, and allow counties to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices that do not conflict with and are more stringent than the state law that governs smoking.

Youth vaping in Hawaii remains a significant public health challenge, with both local and national data demonstrating high rates of nicotine use among adolescents and persistence of the habit into young adulthood. In Hawaii, vaping has become widespread among students. According to *Understanding Youth Vaping in Hawaii*, 46% of high school students who vape are regularly vaping every day, indicating a high level of nicotine dependence among youth users.

Teen vaping exposes adolescents to nicotine addiction, harms brain development (affecting attention, learning, and mood), and increases the risk of respiratory symptoms and later use of combustible tobacco and other substances.

Hawaii physicians continue to see the harmful effects of nicotine addiction beginning in adolescence, and local flexibility is essential to address youth vaping trends that vary by community. HMA supports this measure that empowers counties to adopt more stringent regulations on the sale of cigarettes, tobacco products, and electronic smoking devices to better protect public health. Strengthening these protections today helps safeguard the long-term health of our keiki and future generations.

Thank you for allowing the Hawaii Medical Association to submit testimony in support of this measure.

REFERENCES AND QUICK LINKS

2026 Hawaii Medical Association Public Policy Coordination Team
Elizabeth A Ignacio, MD, Chair • Robert Carlisle, MD, Vice Chair • Christina Marzo, MD, Vice Chair
Linda Rosehill, JD, Government Relations • Marc Alexander, Executive Director

2026 Hawaii Medical Association Officers
Nadine Tenn-Salle, MD, President • Jerald Garcia, MD, President Elect • Elizabeth Ann Ignacio, MD, • Immediate Past President
Laeton Pang, MD, Treasurer • Thomas Kosasa, MD, Secretary • Marc Alexander, Executive Director

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2024 Hawaii Medical Association Officers

Elizabeth Ann Ignacio, MD, President • Nadine Tenn-Salle, MD, President Elect • Angela Pratt, MD, Immediate Past President
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2024 Hawaii Medical Association Public Policy Coordination Team

Beth England, MD, Chair
Linda Rosehill, JD, Government Relations • Marc Alexander, Executive Director



Hearing on 2-12-26

Testimony in Strong Opposition to House Bill 1563

Dear CPC Committee,

The Hawaii Smokers Alliance STRONGLY OPPOSES HB 1563) relating to the ridiculous idea that State law is subordinate to County Ordinances.

House Bill 1563 is strongly opposed for the following reasons:

1. Existing and future bans and taxes by counties won't fit the state's needs.
2. Counties passing additional regulations put in question the tax revenue that various health organizations depend on at the state level. This includes the banning of product lines which can no longer be taxed causing additional revenue shortfalls.
3. In addition, the State House promised businesses and constituents just a few years ago that State Control would be maintained. People are counting on that promise being upheld.

Respectfully request that this deeply troubling bill not leave the CPC committee. Thank you for your time.

Sincerely,

Michael Zehner, Co-chair of the Hawaii Smokers Alliance.

808-952-0275. Hawaiiismokersalliance.net



**Parents And
Children Together**

**BUILDING THE RELATIONSHIPS
THAT MATTER MOST**

ParentsAndChildrenTogether.org

TESTIMONY ON HB 1563 HD1 – IN SUPPORT RELATING TO TOBACCO PRODUCTS

TO: Chair Matayoshi, Vice-Chair Grandinetti, & Members,
House Committee Consumer Protection & Commerce

FROM: Trisha Kajimura, PACT Vice-President of Strategy and External Affairs

DATE: February 12, 2026, 2:00 PM

Parents and Children Together (PACT) supports HB 1563 HD, which repeals existing law that preempts local ordinances or regulations that regulate the sale of tobacco products, including electronic smoking devices. This will allow counties to adopt ordinances that regulate the sale of tobacco and vape products.

Founded by residents of Kuhio Park Terrace in 1968, PACT is a statewide community-based organization providing a wide array of innovative and educational social services to families in need. Assisting more than 18,000 people across the state annually, we help identify, address, and successfully resolve challenges through our 20 programs. Among our services are early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse supportive group services, child and adolescent behavioral health programs, sex trafficking intervention, poverty prevention and community building programs.

PACT's mission is to work together with Hawaii's children, individuals, and families to create safe and promising futures. Allowing the tobacco/e-cig industry to prey on youth does not empower youth to choose the futures they want for themselves. Currently, flavors in tobacco and e-cig products attract youth to try them and the nicotine in these products creates an addiction. It is estimated that the tobacco industry is spending \$22.2 million annually to market products in Hawaii. (<https://www.tobaccofreekids.org/problem/toll-us/hawaii>). Let's give our youth a better chance for freedom from predatory marketing and the opportunity to establish good health.

Thank you for the opportunity to testify. Please contact me at (808) 847-3285 or tkajimura@pacthawaii.org if you have any questions.

TESTIMONY IN SUPPORT OF HB 1563

TO: Chair Matayoshi, Vice-Chair Grandinetti, and Committee Members

FROM: Michael Paul, Certified Tobacco Treatment Specialist

DATE: February 12, 2026 (2:00 PM)

Hawai'i Health & Harm Reduction Center (HHRC) **strongly supports** HB 1563 HD1, which re-establishes county control over the sale of tobacco and nicotine products.

Prior to 2018, counties had the ability to regulate the sale of tobacco products in their communities. Counties in our state have been more responsive in quickly addressing the health and well-being of the people in their communities on this point. Our state's smoke-free air laws and the tobacco 21 law are examples of successful county level ordinances that were subsequently adopted statewide. Reauthorizing the counties to regulate the sale of tobacco products opens the possibilities for innovative policies at the local level, freeing the counties to find new and effective ways to address the public health challenges posed by tobacco use.

HHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those related to substance use and mental health conditions.

With the ongoing support of the Hawai'i Community Foundation, HHRC continues to offer smoking cessation services that are tailored to meet the needs of our state's LGBTQ+ people, and other priority populations through its [Hawai'i's Last Drag](#) (HLD) program. We work with individuals in ways that are most appropriate for their current needs, with trainings conducted in person or via phone, text, or videoconferencing. We provide smoking cessation products to assist them with quitting the consumption of smoked tobacco and other nicotine products.

Thank you for the opportunity to testify on this measure.

February 11, 2026

TO: Scot Z. Matayoshi, Chair
Tina Nakada Grandinetti, Vice Chair
Members of the House Committee on Consumer Protection & Commence

FROM: Cigar Association of America, Inc.
(William Goo)

RE: **HB 1563, HD1** - Relating to Tobacco Products
Hearing Date: February 12, 2026
Time: 2:00 pm

The Cigar Association of America, Inc. (CAA) **opposes HB 1563, HD1** which would enable the counties to supersede the State's regulatory authority over tobacco products.

CAA is the leading national trade organization representing the interests of manufacturers, importers, distributors, and major suppliers in the cigar and pipe tobacco industry. It is a key stakeholder in this discussion, as the proposed change has the potential to significantly impact its members and their ability to conduct business in Hawaii.

Statewide regulation ensures that prevention measures are clear, achievable and well implemented. These programs are designed and funded by the State, not the counties. The State law preemption model has been successful in seeing tobacco use in Hawaii reach the lowest level in decades and trends indicate continued decline¹. Establishing a change whereby counties would regulate the use of tobacco products will do little to change public health metrics. History has shown that where states have allowed this, consumers look at other alternatives including illicit markets.

If the counties are allowed to supersede State regulation, local businesses will lose the additional fuel and sundry purchases consumers make along with their tobacco purchases. Fragmented regulation also discourages businesses from broader investment in the State thereby limiting economic growth and jobs. Without regulatory control, the State will have little certainty over its future revenue projections. This would jeopardize management of the Cancer Research Fund, Trauma System Fund and more.

Statewide regulation ensures that compliance standards are uniform and fair across the State. When regulation is fragmented, it burdens law enforcement resources and

¹Based on data from the CDC's Behavioral Risk Factor Surveillance System (BRFSS) and the Hawaii Health Data Warehouse, the adult smoking rate has dropped from approximately 17.4% in 2004 to 8.1% in 2024.

inevitably forces more encounters in the community. Confusion between State and local law should not be the source of conflict between law enforcement and business owners. Nor should the State enable a county to issue greater restrictions that push vulnerable communities into illicit markets which are unregulated and untaxed.

CAA strongly opposes HB 1563, HD1 because it will destabilize the current regulatory model, complicate compliance, burden enforcement agencies and hurt local economies – setting the stage for future program deficits. Statewide preemption supports public health goals, facilitates compliance and balances the holistic needs of the State. Hawaii cannot afford to abrogate its responsibilities in this area.

Thank you for considering this testimony.



HIPHI Board

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Department of Pediatrics*

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Hawaiian Research Office*

Danette Wong Tomiyasu, MBA
*Retired, Hawai'i State Department of
Health*

HIPHI Initiatives

Coalition for a
Tobacco-Free Hawai'i

Community-Based Research &
Evaluation

Community Health
Worker Initiatives

Environmental Health

Hawai'i Climate Change and Health
Working Group

Hawai'i Drug & Alcohol-Free Coalitions

Hawai'i Immunization Coalition

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Collective/Healthy Aging &
Community Living

Public Health Workforce Development

Date: February 11, 2026

To: Representative Scot Z. Matayoshi, Chair
Representative Tina Nakada Grandinetti, Vice Chair
Members of the House Committee on Consumer Protection &
Commerce

RE: Strong Support for HB 1563 HD1, Relating to Tobacco Products

Hrg: Thursday, February 12, 2026, at 2:00 PM, Room 329

The Coalition for a Tobacco-Free Hawai'i, a program of Hawai'i Public Health Institute¹ is in **Strong Support of HB 1563 HD1**, which would restore the counties' ability to regulate the sale of cigarettes, tobacco products, and electronic smoking devices. If this ability is restored, the counties would be able to enact ordinances that are more stringent than state law.

Counties want to act.

Since 2017, youth use of electronic smoking devices has soared, with flavors being a major driver. The problem is statewide, but over the years has been felt more acutely in our counties with prevalence rates well above the state average. Because of these alarming numbers, three out of four counties have now passed ordinances to end the sale of all flavored tobacco products within their counties. The councils and mayors worked with youth to pass these policies, though they are unable to go into effect without state legislation. By passing HB 1563, the counties will be able to enact these important policies.

Restoring the county's authority will protect local residents and address disparities.

Counties have a long history of being proactive in adopting innovative tobacco control policies based on community concerns and needs. All counties passed the clean indoor air law (smoke-free workplaces) before the state passed legislation, and Hawai'i Island raised the age to 21 to purchase tobacco products first; in fact, they were the fourth jurisdiction in the nation to do so. Currently, state law curtails the counties' power to enact policies relating to the sale of tobacco and electronic smoking devices. This inability to act is of particular concern, as both high school and middle school students continue to utilize e-cigarettes, a product that has grown exponentially in innovation, product sales, nicotine content and youth appeal. Meanwhile, the tobacco industry continues to develop, market, and promote new flavored products like nicotine pouches that are growing in popularity among youth. According to an independent poll conducted by Ward Research in the Fall of 2025 on behalf of the Coalition, 82% of registered Hawai'i voters believe counties should have the ability to regulate tobacco products at the point of sale.²



States should provide a foundation to build on—basic protections and best practices to reduce the burden of tobacco in the state. However, local governments should have the ability to strengthen those protections based on the needs of their communities.

Currently counties are unable:

- To take legislative and regulatory action through retail and sales strategy to protect their children, youth, and adults.
- To enact public health, evidence-based strategies by restricting local policies and regulations on pricing and access, which are proven to reduce tobacco consumption and initiation, which could include the sale of tobacco in pharmacies and creating flavor restrictions.

Preemption benefits the tobacco industry.

Restricting local control is a known tobacco industry strategy. The tobacco industry works to “preempt” local governments from passing tobacco prevention and control policies. This action creates a more favorable situation for tobacco companies because it is easier to focus efforts on statewide policies versus county or city-level policies..

We applaud the Legislature for helping to strengthen our county's authority on tobacco sales by considering this measure, and thank this committee for your consideration of HB 1563 HD1.

We respectfully ask you to pass this measure.

Mahalo,

A handwritten signature in black ink that reads "Kevin Ramirez". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kevin Ramirez
Coalition for a Tobacco-Free Hawai'i Program Manager
Hawai'i Public Health Institute

1 The Coalition for a Tobacco-Free Hawai'i (Coalition) is a program of the Hawai'i Public Health Institute (HIPHI) that is dedicated to reducing tobacco use through education, policy, and advocacy. With more than two decades of history in Hawai'i, the Coalition has led several campaigns on enacting smoke-free environments, including being the first state in the nation to prohibit the sale of tobacco and electronic smoking devices to purchasers under 21 years of age.

2 This study by Ward Research, Inc. summarizes findings from a telephone/online survey among n=741 Hawai'i registered voters (maximum sampling error +/- 3.7%), conducted between October 3 to November 1, 2025.



Chair - Representative Scot Matayoshi

Vice Chair - Tina Grandinetti

Members of the Committee on Consumer Protection & Commerce

On behalf of the Coalition for a Tobacco-Free Hawai'i's (CTFH) Youth Council, thank you for allowing us to submit testimony **in strong support of HB1563.**

The CTFH Youth Council is a nationally recognized group of youth leaders fighting to envision and create a Hawai'i centered on uplifting community public health beyond the reaches of Big Tobacco. Our council comprises middle school, high school, and college students, with representation from across Hawai'i's counties.

We have worked hard over the years, and the City and County of Honolulu, the County of Hawai'i, and the County of Maui have passed bills to end flavored tobacco sales in their communities. This sends a clear message to the State to protect our keiki and restore their authority to regulate tobacco sales. These county councils stood by the youth and community advocates in passing these bills, and we ask that you do the same by passing HB1563.

With turbulence at the federal level, it's important to have as many tools available to fight against Big Tobacco. Allowing counties to respond enables quicker action against emerging threats, fill gaps left by federal rollbacks, and prevent harm before it becomes widespread. The Coalition for a Tobacco-Free Hawai'i Youth Council urges the Committee to pass HB1563 to restore county authority to regulate tobacco sales.

Mahalo,
Coalition for a Tobacco-Free Hawai'i Youth Council

PARTIAL LIST OF SUPPORTERS

HEALTH ORGANIZATIONS

- 'Ohana Health Plan
- Adventist Health - Castle
- Aloha Care
- AMA/HMA Student Chapter at JABSOM
- American Academy of Pediatrics - Hawaii Chapter
- American Heart Association
- American Lung Association
- Bay Clinic Inc.
- Blue Zones Project
- Campaign for Tobacco-Free Kids
- Coalition for a Drug-Free Hawaii

- Coalition for a Tobacco-Free Hawai'i (Hawai'i Public Health Institute)
- Hamakua Kohala Health Centers
- Hawaii – American Nurses Association (Hawaii-ANA)
- Hawaii COPD Coalition
- Hawaii Dental Hygienists' Association
- Hawaii Health and Harm Reduction Center
- Hawai'i Nurses' Association
- OPEIU Local 50
- Hawaii Public Health Association
- Hui No Ke Ola Pono
- Hui Ola Pono (UH Public Health Student Organization)
- Kaho'omiki; Hawaii Council of Physical Activity and Nutrition
- Kauai Rural Health Association
- Keiki Injury Prevention Coalition
- Na Lei Wili Area Health Education Center, Inc.
- The Queen's Health Systems
- Tobacco Prevention Project, Daniel K. Inouye College of Pharmacy
- University of Hawaii Student Health Advisory Council
- US COPD Coalition
- Waimānalo Health Center

HEALTH & COMMUNITY LEADERS

- Kathryn Akioka, RRT / TTS
- Joy Barua
- Forrest Batz, PharmD
- Frank Baum, MD
- Deborah Bond-Upson
- Dale Carstensen
- Valerie Chang Dyson
- Chee Danelle Cheng
- Bridgitte Daniel
- May Rose Dela Cruz, Dr. PH
- Andrew Fox, MD
- Shani Gacayan
- Donita Garcia
- Asaka Herman

- Pedro Haro, MPH
- Cyd Hoffeld
- Colleen Inouye, MD
- Lila Johnson
- Leilani Kailiawa
- Lehua Kaulukukui
- Ken Kozuma
- Mark Levin
- Loren Lindborg
- Katherine May, PsychD
- Bryan Mih, MD
- Kristin Mills
- Shelly Ogata
- Gregg Pacilio, PT
- Matthew Prellberg
- Jordan Ragasa
- Nathalie Razo
- Keenan Reader
- Crystal Robello
- Kimberly Golis-Robello
- Mary Santa Maria
- Anne Takata, DC
- Patty Kahanamoku-Teruya
- Chien-Wen Tseng, MD
- John A. Hau'oli Tomoso
- Jennifer Valera
- Cecilia Villafuerte
- Linda Weiner, MD
- Andre Weston, MDiv
- Matthew Wong

YOUTH & COMMUNITY ORGANIZATIONS

- After-School All-Stars Hawaii
- American Youth Soccer Organization (AYSO)
- Association of Hawaiian Civic Clubs
- Bad Boys Football Club
- Big Island Interscholastic Federation (BIIF)
- Hale 'Ōpio Kaua'i Inc.
- Hawaii Children's Action Network
- Hawaii Interscholastic Athletic Directors Association
- Hawaii State Commission on Fatherhood

- Hawaii State Teachers Association (HSTA)
- Hawaii State Youth Commission
- Hawai'i Youth Climate Coalition
- Hawaii Youth Services Network
- Honolulu Youth Commission
- Kanu o ka 'Āina Learning Ohana (KALO)
- Kauai Path Inc.
- LearningBond
- Pacific American Foundation
- Parents for Public Schools of Hawai'i
- Partners in Development Foundation
- Residential Youth Services & Empowerment (RYSE)
- The Friends of Kamalani and Lydgate Park
- Waipahu Intermediate Youth For Safety

BUSINESSES

- Country Courier, LLC
- Hana Lima Physical Therapy
- Home Remedies Interior Design
- JCS Enterprises Inc.
- Pediatric Therapies Hawaii

O'AHU NEIGHBORHOOD BOARDS

- Kuliouou-Kalani Iki (02)
- Kaimuki (04)
- Diamond Head (05)
- Palolo (06)
- McCully-Moiliili (08)
- Makiki-Tantalua (10)
- Ala Moana/Kakaako (11)
- Nuuanu/Punchbowl (12)
- Downtown-Chinatown (13)
- Liliha/Puunui/Alewa (14)
- Aliamanu-Salt Lake (18)
- Aiea (20)
- Pearl City (21)
- Waipahu (22)
- Ewa (23)
- Mililani-Waipio (25)
- North Shore (27)
- Koolauloa (28)

- Kahaluu (29)
- Kaneohe (30)
- Kailua (31)
- Waimanalo (32)
- Mililani Mauka-Launani Valley (35)
- Nanakuli-Maili (36)

SCHOOLS

- Damien Memorial School
- Hawaii Association of Independent Schools (HAIS)
- Hawaii Council of Private Schools (HCPS)
- Holy Family Catholic Academy
- Island Pacific Academy
- Maryknoll School
- Maui Preparatory Academy
- Mid-Pacific Institute
- Roots School
- St. Andrew's Schools
- Saint Louis School

Hawaii Chapter

OF THE AMERICAN ACADEMY OF PEDIATRICS

Aloha Chair Matayoshi, Vice-Chair Grandinetti, and Committee Members:

The Hawai'i Chapter of the American Academy of Pediatrics (HAAP) would like to provide testimony in **strong support of HB 1563**, which provides a mechanism for enforcement of county regulations on tobacco products, including flavored tobacco products.

As pediatricians, we have witnessed increasing numbers of youth who become addicted to nicotine because of bright packaging, youth-targeted messaging, and flavors that are especially appealing to children, such as melon or pineapple. The colorful packaging, fruity flavors, and misconception that vaping is less harmful than cigarettes only serve to obscure the truth, which is that tobacco use remains the leading cause of preventable deaths and that tobacco use reduces the average smoker's life expectancy by about a decade. The youth vaping epidemic is only worsening over time, with more than 13% of high schoolers and 10% of middle schoolers in Hawai'i reporting using e-cigarettes (2023 data). As you may know, vape liquid contains high levels of nicotine, making it more addictive than cigarettes; this is in addition to dozens of other dangerous chemicals that can seriously harm a young person's lungs.

More than 200 pediatrician members of the Hawai'i Chapter of the American Academy of Pediatrics support returning authority to regulate tobacco products to the individual counties because we care for Hawai'i's keiki. We have seen first-hand the harmful impacts of nicotine addiction in our adolescent patients, and we strongly urge your support of this bill.

Maya Maxym, MD, PhD, FAAP

On behalf of the Hawai'i Chapter of the American Academy of Pediatrics



Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: House Consumer Protection and Commerce
Re: HB 1563 HD 1– Relating to Tobacco Products
Hawai'i State Capitol room 329 & Via Videoconference Thursday,
February 12, 2026, 2:00 PM

Dear Chair Matayoshi, Vice Chair Grandinetti, and Respected Committee Members,

On behalf of Hawai'i Children's Action Network Speaks!, I am writing in **SUPPORT of HB 1563 HD1**, which would allow counties to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices.

HCAN is dedicated to advocating for policies that protect and promote the health and well-being of Hawai'i's children. HB1563 HD 1 is of significant importance to our mission, as it addresses the regulation of cigarettes, tobacco products, and electronic smoking devices; products that pose well-documented risks to youth health. By empowering counties to adopt more stringent regulations, this bill provides communities with the flexibility to respond to local needs and better safeguard keiki from the harms of tobacco and nicotine exposure.

Research consistently shows that early exposure to tobacco and nicotine increases the likelihood of long-term addiction and adverse health outcomes among children and adolescents. Statewide preemption of local tobacco control measures has historically limited the ability of counties to implement innovative or targeted policies that reflect local priorities or emerging public health challenges. Allowing counties to enact stronger regulations aligns with best practices in public health and supports efforts to reduce youth access to harmful products.

HB1563 HD 1 strikes a balance by preserving the state's regulatory framework while enabling counties to tailor additional protections as needed. This approach encourages local innovation and responsiveness, which are critical in addressing disparities in tobacco use and exposure among Hawai'i's diverse communities. By removing barriers to local action, the bill supports a comprehensive, community-driven strategy to protect children from the dangers of tobacco and electronic smoking devices.

HCAN respectfully encourages the Legislature to advance HB1563 HD1 and ensure that counties have the authority to enact measures that reflect the unique needs of their communities. We recommend continued collaboration with county governments and community stakeholders to ensure that new ordinances are evidence-based and effectively implemented. This bill represents a meaningful step toward a healthier future for Hawai'i's keiki.

Thank you for the opportunity to provide testimony. Please **SUPPORT HB 1563 HD1**.



To: The Honorable, Rep. Scot Z. Matayoshi, Chair
The Honorable, Rep. Tina Nakada Grandinetti, Vice Chair
House Committee on Consumer Protection and Commerce

From: Paula Arcena, External Affairs Vice President
Mike Nguyen, Director of Public Policy
Maria Rallojay, Public Policy Specialist

Hearing: Thursday, February 12, 2026, 2:00pm, Conference Room 329

RE: **HB1563 Relating to Tobacco Products**

AlohaCare appreciates the opportunity to testify in **support** of **HB1563**. This measure would (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) establishes penalties for manufacturers that fail to comply with certification requirements and for other parties that sell products that are not in the directory.

AlohaCare is a community-rooted, non-profit health plan founded by Hawai'i's Community Health Centers and the Queen Emma Clinics. We serve over 66,000 Medicaid and Medicaid-Medicare dual-eligible residents on all islands. Since 1994, AlohaCare has partnered with providers, government entities, and community-based organizations to meet the evolving needs of our safety net community as Hawai'i's only health plan focused solely on Medicaid-eligible individuals. Our mission is to serve individuals and communities in the true spirit of aloha by ensuring and advocating for equitable access to quality, whole-person care for all.

AlohaCare's commitment to whole-person care includes promoting the long-term well-being across the communities we serve. Vaping, especially among youth, has real and preventable health impacts. This may include nicotine addiction that can affect brain development and increased risk of progression to other tobacco use. Disposable e-cigarettes are also widely used by youth and are often highly appealing to them due to design and ease of access. For these reasons, AlohaCare supports any measure that eliminates or limits the availability of e-cigarettes in our communities, particularly products that appeal to or are easily accessed by youth.

Mahalo for this opportunity to testify in **support** of **HB1563**.



**Testimony to the House Committee on Consumer Protection and Commerce
Thursday, February 12, 2026; 2:00 p.m.
State Capitol, Conference Room 329
Via Videoconference**

RE: HOUSE BILL NO. 1563, HOUSE DRAFT 1, RELATING TO TOBACCO PRODUCTS.

Chair Matayoshi, Vice Chair Grandinetti, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** House Bill No. 1563, House Draft 1, RELATING TO TOBACCO PRODUCTS.

By way of background, the HPCA represents Hawaii's Federally Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines to over 150,000 patients each year who live in rural and underserved communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of healthcare.

This bill, as received by your Committee, would:

- (1) Repeal existing law that provides that all local ordinances or regulations that regulate the sale of cigarettes, tobacco products, and electronic smoking devices are preempted and that existing local laws and regulations conflicting 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, as long as the ordinances do not conflict with and are more stringent than the State law on smoking.

The bill would take effect on July 1, 3000.

Testimony on House Bill No. 1563, House Draft 1
Thursday, February 12, 2026; 2:00 p.m.
Page 2

FQHCs have long seen first-hand how tobacco has literally destroyed the lives of our patients and their families. Because of the ubiquity of cigarettes, chewing tobacco, and now electronic smoking devices, the impacts of tobacco harms our citizenry on a generational basis with people experimenting at even earlier ages. Because of this, the HPCA supports efforts that would improve enforcement of existing regulation and create disincentives for consumers to use these products.

In 2018, the Hawaii State Legislature enacted Act 206 to establish the State policy that the sale of cigarettes, tobacco products, and electronic smoking devices is a matter of statewide concern, thus nullifying any local ordinances or policies that restricted the sale of these products that were in effect at that time. Since Act 206 was enacted, youth consumption of tobacco products has increased resulting in the American Lung Association giving the State of Hawaii an "F" for failing to prevent access to flavored tobacco products like menthol cigarettes and fruity-flavored electronic smoking products.

Because of this, the HPCA agrees with the Hawaii State Association of Counties and urges the State to allow the counties to enact more restrictions over the sale of tobacco products, including electronic smoking devices, in order to protect public health, safety, and welfare.

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or eabe@hawaiiipca.net.



Date: February 11, 2026

To: Rep. Scot Matayoshi, Chair
Rep. Tina Nakada Grandinetti, Vice Chair
Members of the House Committee on Consumer Protection and Commerce

From: Alexandria Felton, Advocacy Director, Campaign for Tobacco-Free Kids

Re: **SUPPORT for HB1563 HD1, Relating to Tobacco Products**

Hrg: February 12, 2026 at 2pm

Dear Chair Matayoshi, Vice Chair Grandinetti, and Members of the Committee:

The Campaign for Tobacco-Free Kids & the Tobacco-Free Kids Action Fund **strongly support HB1563 HD1** to end the state's prohibition on local governments in Hawai'i from enacting laws to prevent youth tobacco use. This harmful language preempting local laws has been in state statute since 2018 (HRS§ 328j-11.5), and it's long-past time to overcome the tobacco industry's opposition to its removal.

HB1563 HD1 would protect keiki from tobacco addiction, save lives and advance health equity by allowing Hawai'i communities to enact their own targeted tobacco control solutions. The City and County of Honolulu, the County of Hawai'i, and the County Maui have already taken these steps in the last 2 years – passing comprehensive legislation on behalf of their residents. Repealing preemption would allow the laws passed in these counties to go into effect and make state law the floor for tobacco control regulations, rather than retain provisions that establish state law as the ceiling.

Preemption has long been a favored tobacco industry tactic to block effective local action to reduce tobacco use, which is the No. 1 cause of preventable death in Hawai'i and the United States.

Repealing preemption would allow local communities to pass restrictions on the sale of flavored tobacco products, a favorite tobacco industry strategy not only for targeting kids, but

also Pacific Islanders, Asian Americans, Black Americans, Latinos, the LGBTQ community and other communities.

Research shows that 80% of youth who have ever used tobacco started with a flavored product, and the use of flavored e-cigarettes, in particular, has become a national crisis. In Hawai'i, 13.2% of high school students and 10.3% of middle school students use e-cigarettes, according to the 2023 Hawai'i Youth Risk Behavior Survey.

E-cigarette usage is even higher among high school students in the Hawai'i (15.4%) and Maui (15.1%) counties and among middle schoolers in Hawai'i (13.5%) and Maui (10.7%) counties, demonstrating the need for local communities to pass the tobacco-control ordinances they deem will better address their particular needs.

Nationally, communities have adopted and put into action some of the strongest, innovative, and effective tobacco control policies that have served as a catalyst for transitioning social norms about tobacco use.

We urge Hawai'i policymakers to become leaders in discouraging the state's youth from starting to use tobacco by passing HB1563 HD1.

Thank you,
Alexandria Felton, Campaign for Tobacco-Free Kids



February 12, 2026

Representative Scot Matayoshi, Chair
Representative Tina Grandinetti, Vice Chair
Committee on Consumer Protection & Commerce

**American Heart Association Testimony for HB 1563 HD1
Relating to Tobacco Products**

Aloha Chair Takayama, Chair Marten, Members of the Committees:

The American Heart Association is in strong support of repealing state preemption and restoring county authority to enact ordinances aimed at reducing tobacco sales in Hawai'i.

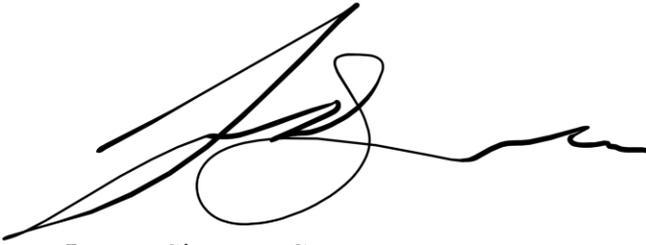
Flavored tobacco products including menthol, candy, and fruit-flavored e-cigarettes are aggressively marketed to youth and remain widely available near schools, recreation facilities, and neighborhoods. Native Hawaiian, Pacific Islander, and Filipino communities experienced disproportionate rates of tobacco use and tobacco-related illness, due in part to targeted industry marketing, its historical inequities, and greater concentration of tobacco retailers in lower-income areas.

Hawai'i continues to face serious challenges related to tobacco use, youth vaping, and nicotine addiction. Right now, state law prevents Hawai'i counties from passing stronger tobacco control measures even when local elected officials and residents demand action. Repealing preemption would allow counties to implement strategies tailored to improve community needs without waiting for statewide legislation.

Hawai'i counties, local coalitions, and community leaders - including the Coalition for a Tobacco-Free Hawai'i, youth advocates, medical professionals, and school organizations - have repeatedly expressed support for stronger policies to reduce access to tobacco products and eliminate flavored tobacco sales. Communities elsewhere in the country with the authority to pass local restrictions on flavored tobacco, tobacco retailer density, and licensing have seen significant reductions in youth initiation and sales to minors.

Tobacco use remains the leading cause of preventable death in Hawaii, posing a significant public health threat that requires both local and state policy attention. We respectfully urge the legislature to repeal state preemption and allow Hawai'i's counties to adopt strong, community-driven tobacco control policies that reduce youth access, prevent addiction, and protect the long-term health and well-being of all Hawai'i families.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lauren Simpson-Gomez', with a long, sweeping horizontal line extending to the right.

Lauren Simpson-Gomez

Hawai'i Government Relations Director



February 11, 2026

To: COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Scot Z. Matayoshi, Chair
Rep. Tina Nakada Grandinetti, Vice Chair

Re: SUPPORT of HB 1563 HD1 RELATING TO REGULATING THE SALE OF
TOBACCO PRODUCTS

Hrg: February 12, 2026 at 2:00PM

The Hawai'i Public Health Association (HPHA) is a group of over 450 community members, public health professionals, and organizations statewide dedicated to improving public health. Our mission is to promote public health in Hawai'i through leadership, collaboration, education and advocacy.

The Hawaii Public Health Association supports HB1563 and its goal to allow counties the ability to regulate the sale of tobacco products and address tobacco use in their community

Hawai'i counties have been national leaders in tobacco regulation and it's time to end the 2018 state law that blocks them from acting. Flavored tobacco products attract teens and children. 90% of current middle and high school students that use e-cigarettes are using flavored e-cigarettes. Please pass this bill to allow laws ending the sale of flavored tobacco products to take effect in Honolulu, Hawai'i, and Maui County.

The Hawaii Public Health Association urges you to support HB1563. Thank you for the opportunity to provide testimony on this important public health issue.

Respectfully submitted,

A handwritten signature in black ink that reads 'Holly Kessler' in a cursive script.

Holly Kessler
Executive Director

Date: February 14, 2026

To: Chair Representative Scot Z. Matayoshi
Vice Chair Representative Tina Nakada Grandinetti
And members of the Consumer Protection Commerce Committee

From: Members of the University of Hawaii Student Health Advisory Council

Re: Support for HB 1563 HD1, Relating to the Electronic Smoking Devices

Hearing: Thursday, February 14 at 2:00 PM

Thank you for the opportunity to submit testimony in SUPPORT of HB 1563. Hawai'i counties have been national leaders in tobacco regulation and it's time to end the 2018 state law that blocks them from acting.

The UH Student Health Advisory Council has played a pivotal role in the development and implementation of health policies and tobacco education on the UH System campuses. We remain deeply committed to the mission of reducing the use of all tobacco products, including flavored electronic smoking devices, among adolescents and young adults.

Electronic cigarettes are now the most commonly used form of tobacco among young people in the United States, flavored tobacco products attract teens and children, with 90% of current middle and high school students using flavored e-cigarettes. Ending the sale of flavored tobacco products will reduce the appeal of these products and protect our young people from a lifetime of addiction.

Please pass this bill to allow laws ending the sale of flavored tobacco products to take effect in Honolulu, Hawai'i, and Maui County. The Student Health Advisory Council urges you to support this measure which will protect the health of our people, environment, and the future of Hawai'i. We recognize your committees' commitment to well-being and ask you to help create a safer Hawai'i for all.

Mahalo,

Student Health Advisory Council



LATE

HB1563 HD1 Allows Counties to Regulate Tobacco Products

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Scot Matayoshi, Chair

Rep. Tina Nakada Grandinetti, Vice Chair

Thursday, Feb. 12, 2026: 2:00: Room 329 & Videoconference

*ALOHA CHAIR, VICE CHAIR, AND DISTINGUISHED COMMITTEE MEMBERS.
My name is Brian Baker. I am the President and CEO for Hina Mauka, a mental health and substance use disorder treatment and prevention agency for thousands of adults and adolescents on Oahu and Kauai, including recovery-oriented services and housing transitional living programs.*

Hina Mauka **supports HB1563 HD1** and provides this testimony as a major treatment and prevention provider, as well as a member of the Hawaii Substance Abuse Coalition (HSAC).

We are in full support of regulating e-cigarettes to children due to the catastrophic health impacts of vaping on our children.

Given that the counties have repeatedly demonstrated their ability to manage tobacco policies, and their on-the-ground responses to their unique situations will cut the time it takes to build a response, HB1563 HD1 makes sense.

We appreciate the opportunity to provide testimony.



House Committee on Consumer Protection and Commerce
Rep. Scot Matayoshi, Chair
Rep. Tina Grandinetti, Vice Chair

Hearing Date: Thursday, February 12, 2026

ACS CAN Comment on HB 1563 HD1: RELATING TO TOBACCO PRODUCTS.

Cynthia Au, Government Relations Director – Hawai'i Guam
American Cancer Society Cancer Action Network

Thank you for the opportunity to **COMMENT** on HB 1563 HD1: RELATING TO TOBACCO PRODUCTS.

The American Cancer Society Cancer Action Network (ACS CAN) is the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society. We support evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem for everyone. ACS CAN supports policies that strengthen the health infrastructure in Hawaii to prevent keiki from starting to use tobacco and help adults already addicted to tobacco to quit.

Lung cancer remains the leading cause of cancer deaths in Hawai'i and 25.3% of all cancer deaths in Hawai'i are smoking-related.ⁱ An estimated 1,400 adults in Hawai'i die from smoking every year.ⁱⁱ Each year in Hawai'i, 1,800 keiki try cigarettes for the first time.ⁱⁱⁱ Tobacco use remains the leading preventable cause of death nationwide. Communities suffer when counties are unable to enact stronger tobacco control laws. Preemption is a tobacco industry tactic, enacted here in 2018. Hawai'i has continued to see the increase of youth tobacco use including the use of electronic smoking devices and e-cigarettes.

ACS CAN respectfully notes that the bill language can be further tightened to ensure there are no unintended consequences—particularly in areas where statewide standards may interact with existing local authority.

ACS CAN supports local control as an essential component of responsive and effective public policy. Local communities are often the first to recognize emerging issues, identify unique

challenges, and craft solutions that reflect the realities on the ground. Ensuring that counties retain the authority to act in the best interest of their residents allows for policies that are more adaptable, timely, and aligned with community values.

Thank you for the opportunity to comment on this important matter. Should you have any questions, please do not hesitate to contact Government Relations Director Cynthia Au at Cynthia.Au@Cancer.org or 808.460.6109.

LATE

¹ Campaign for Tobacco-Free Kids. The Toll of Tobacco in Hawaii. Updated December 15, 2025. <https://www.tobaccofreekids.org/problem/toll-us/hawaii>
² Campaign for Tobacco-Free Kids. The Toll of Tobacco in Hawaii. Updated December 15, 2025. <https://www.tobaccofreekids.org/problem/toll-us/hawaii>
³ Campaign for Tobacco-Free Kids. The Toll of Tobacco in Hawaii. Updated December 15, 2025. <https://www.tobaccofreekids.org/problem/toll-us/hawaii>

LATE

HB-1563-HD-1

Submitted on: 2/12/2026 11:11:18 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Travis Sanders	Habilitat, Inc.	Support	Written Testimony Only

Comments:

To: Chair and Members of the Committee

Re: HB1536 — Relating to County Authority / Tobacco Regulation

Position: Support

Aloha Chair and Members of the Committee,

My name is Travis Sanders, and I am submitting testimony in support of HB1536.

HB1536 would allow counties to regulate tobacco products in order to protect public health. Tobacco use remains one of the leading preventable causes of disease and death, and communities should have the authority to respond to local public health needs with reasonable regulation.

Habilitat serves individuals working toward recovery and stability. We know that addiction is not limited to one substance, and nicotine dependence remains a major barrier to long-term health. Tobacco use is also strongly linked with behavioral health conditions, chronic illness, and early mortality, particularly among vulnerable populations.

Allowing counties to adopt policies that reduce youth access, limit harmful product availability, and promote healthier environments is a common-sense public health approach. HB1536 empowers communities to act responsibly and supports statewide efforts to reduce preventable health harms.

For these reasons, we respectfully urge the Committee to pass HB1536.

Mahalo for the opportunity to testify.

Respectfully,
Travis Sanders
Habilitat, Inc.

LATE

HB-1563-HD-1

Submitted on: 2/12/2026 12:38:33 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Becky Harrison	Individual	Support	Written Testimony Only

Comments:

To: Chair and Members of the Committee

Re: HB1563 — Relating to County Authority / Tobacco Regulation

Position: Support

Aloha Chair and Members of the Committee,

My name is Becky Harrison, and I am the Associate Executive Director at Habilitat. I am submitting testimony in support of HB1563.

Tobacco use remains a leading cause of preventable illness and long-term health complications. HB1536 would allow counties to adopt local regulations to address tobacco access and exposure, particularly among youth and vulnerable populations.

Habilitat serves individuals working toward recovery and long-term stability. We understand that addiction often extends beyond one substance, and nicotine dependence remains a persistent public health concern. Empowering counties to respond to local needs supports prevention efforts and strengthens community health outcomes.

For these reasons, we respectfully urge the Committee to pass HB1563.

Mahalo for the opportunity to testify.

Respectfully,
Becky Harrison
Associate Executive Director
Habilitat, Inc.

HB-1563-HD-1

Submitted on: 2/10/2026 2:07:55 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jay Ihara	Individual	Support	Written Testimony Only

Comments:

My name is Jay Ihara, and I strongly support HB1563 HD1. In January 2024, the Hawai'i County Council passed Bill 102, which prohibits the sale of flavored tobacco products. Many individuals testified in favor of this bill. In Hawai'i, more than 13% of high school students and 10% of middle school students reported using e-cigarettes in 2023. Additionally, schools have reported that elementary students as young as third grade are using e-cigarettes. By restoring the county's authority to regulate the sale of flavored tobacco products, we can make it more difficult for youth to access e-cigarettes. An overwhelming 82% of registered Hawai'i voters support restoring county authority.

Mahalo for your time and consideration.

Testimony in Support of HB1563 HD1

Before the Committee on Commerce and Consumer Protection (CPC)
Thursday, February 12, 2026 | 2:00 PM

Aloha Chair and Members of the Committee,

I am writing in strong support of HB1563 HD1, which would restore county authority to regulate tobacco products at the point of sale.

Hawai'i's counties have demonstrated their capability to responsibly manage tobacco-related policies. As governments closest to the people they serve, counties are best positioned to understand local conditions and respond effectively to the unique health needs of their communities. Granting counties the flexibility to manage their own point-of-sale regulations allows for timely, community-informed solutions.

Public support for restoring county authority is clear. An overwhelming 82% of registered Hawai'i voters support giving counties back this ability, reflecting strong confidence in local decision-making.

HB1563 HD1 is a measured and appropriate approach. It does not impact taxation, but instead focuses on restoring regulatory authority so counties can act swiftly to protect public health. This measure is also supported by the counties themselves and was included in the Hawai'i Association of Counties' legislative package, further demonstrating broad local government support.

Allowing counties to address tobacco-related concerns in ways that reflect their communities will lead to better health outcomes across the state while respecting local control.

Thank you for the opportunity to submit testimony and for your consideration of HB1563 HD1.

Respectfully submitted,

Dr. Colleen Fox,
Makiki

HB-1563-HD-1

Submitted on: 2/10/2026 3:08:01 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Audrina Leolani Angelo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

I strongly support the bill to end the 2018 state preemption that prevents Hawai'i counties from regulating tobacco products. Honolulu, Hawai'i County, and Maui County have already taken responsible action by passing laws to end the sale of flavored tobacco products, and these democratically adopted measures should be allowed to go into effect.

Flavored tobacco products, especially flavored e-cigarettes, continue to drive youth nicotine use. **About 90% of middle and high school e-cigarette users report using flavored products,** showing that these flavors clearly appeal to and attract young people.

Hawai'i's counties have long been national leaders in tobacco regulation. Restoring their authority is critical to protecting our keiki and reducing youth nicotine addiction.

Please pass this bill and allow the county flavor restrictions to move forward.

Mahalo for your consideration.

Audrina Angelo

HB-1563-HD-1

Submitted on: 2/10/2026 3:44:49 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Scott Stensrud	Individual	Support	Written Testimony Only

Comments:

I strongly support HB1563 which would restore the counties authority to regulate tobacco products. 3 counties have already passed laws more restrictive than the state to help protect their communities and 82% of registered Hawai'i voters support restoring county authority.

Please pass HB1563 to restore their ability so these county level laws can go into effect.

HB-1563-HD-1

Submitted on: 2/10/2026 4:11:26 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Support	Written Testimony Only

Comments:

Hawai'i counties have been national leaders in tobacco regulation and it's time to end the 2018 state law that blocks them from acting. Flavored tobacco products attract teens and children. 90% of current middle and high school students that use e-cigarettes are using flavored e-cigarettes. Please pass this bill to allow laws ending the sale of flavored tobacco products to take effect in Honolulu, Hawai'i, and Maui County.

HB-1563-HD-1

Submitted on: 2/10/2026 4:31:14 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie Austin	Individual	Support	Written Testimony Only

Comments:

Please support this bill: local county

control please!!

Date: February 10, 2026

To: The Honorable Scot Z. Matayoshi, Chair
The Honorable Tina Nakada Grandinetti, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

Re: Support for **HB1563 HD1**, Relating to Tobacco Products

Hrg: Thursday February 12, 2026 at 2:00 pm via Videoconference Conference Room 329

Aloha House Committee on Consumer Protection & Commerce,

As a parent, community member and healthcare professional I am writing in **strong support of HB1563 HD1**, which repeals the preemption on county ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices; and, allows counties to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices that do not conflict with and are more stringent than the state law that governs smoking.

Hawai'i's counties have historically been national leaders in tobacco regulation. However, since 2018, the counties have been blocked from addressing emerging issues involving tobacco products, including the use and impact of flavored tobacco products on our keiki.

Flavored tobacco products, especially e-cigarettes, attract children and teens. 90% of current middle and high school students who use e-cigarettes are using flavored products.

HB1563 HD1 will allow laws ending the sale of flavored tobacco products, which have already been passed in Honolulu, Hawai'i and Maui counties, to take effect.

82% of registered Hawai'i voters support returning this authority to their counties.

I **strongly support HB1563 HD1**, respectfully ask you to pass it out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Keaau, HI

HB-1563-HD-1

Submitted on: 2/10/2026 5:02:39 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

In support of. Thank you.

HB-1563-HD-1

Submitted on: 2/10/2026 5:31:31 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Ann K Poire	Individual	Support	Written Testimony Only

Comments:

Aloha Member of the House Committee on Consumer Protection and Commerce,

Hawai'i counties have been national leaders in tobacco regulation and it's time to end the 2018 state law that blocks them from acting. Flavored tobacco products attract teens and children. 90% of current middle and high school students that use e-cigarettes are using flavored e-cigarettes. Please pass this bill to allow laws ending the sale of flavored tobacco products to take effect in Honolulu, Hawai'i, and Maui County.

Thank you for your time.

Elizabeth Poire
Kailua Kona, Hawaii

HB-1563-HD-1

Submitted on: 2/10/2026 6:55:02 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica Chang	Individual	Oppose	Written Testimony Only

Comments:

:(

HB-1563-HD-1

Submitted on: 2/10/2026 7:05:52 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shelly Ogata	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Matayoshi, Vice-Chair Grandinetti, and members of the Committee on Consumer Protection & Commerce:

I am in strong support of HB 1563 to return local control to the counties as it relates to tobacco products. Please let the people decide on how best to address these important public health issues.

Tobacco use is the leading cause of preventable deaths and 1,400 people die in Hawai‘i each year from tobacco use, cutting a decade off the average smoker’s life. Half of smokers die from tobacco-related disease.

Unfortunately, in Hawai‘i more than 13% of high schoolers and 10% of middle schoolers reported using e-cigarettes in 2023.

Please listen to the people as 82% of registered Hawai‘i voters support restoring county authority.

Mahalo for your attention and support of HB1563.

HB-1563-HD-1

Submitted on: 2/10/2026 7:17:03 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
April Pacheco	Individual	Oppose	Written Testimony Only

Comments:

Strongly Opposed. Maintain State Control.

HB-1563-HD-1

Submitted on: 2/10/2026 10:29:55 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

Please accept this as testimony in strong support of HB1563. The counties know what is best for them and county ordinances that regulate the sales of cigarettes, tobacco products, and electronic smoking devices should not be preempted by the state.

Lynne Matusow

Re: Testimony in STRONG SUPPORT of [HB1563 HD1](#) – Relating to Tobacco Products

Aloha Chair and Members of the Committee,

My name is Laverne Moore. I am a retired teacher, and I am writing in **strong support** of [HB1563 HD1](#).

As an educator who spent years in the classroom, I have seen the direct consequences of nicotine addiction on our students. When youth have easy access to tobacco and electronic smoking devices, it doesn't just impact their health; it disrupts their focus and their ability to reach their full potential in school.

I strongly support this measure because it restores authority to our local counties to regulate the sale of tobacco products and electronic smoking devices. Our local communities are often the first to recognize and respond to the specific challenges facing our keiki. By allowing counties to adopt more stringent ordinances that do not conflict with state law, we empower our neighborhoods to create a safer, healthier environment for the next generation.

The current statistics—with 1,400 annual deaths in Hawai'i from tobacco use and high rates of e-cigarette use among middle and high schoolers—are unacceptable. We must use every tool at our disposal to protect our children from being targeted by an industry that profits at the expense of their future.

I respectfully urge the committee to **pass** [HB1563 HD1](#).

Mahalo for your leadership and for protecting the health of our students.

Sincerely,

Laverne Moore

Retired Educator

HB-1563-HD-1

Submitted on: 2/10/2026 11:29:08 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bryan Mih	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Bryan Mih and I am a parent, pediatrician, and the medical director of the Kapi'olani Smokefree Families Program. For the health of our keiki and their families, I strongly support this measure. E-cigarettes or "vapes" are addicting increasing numbers of keiki to nicotine. The ability of each county to introduce new rules has a proven track record of improving the health of our population. These include increasing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

Nicotine is a highly addictive drug that impacts the adolescent brain, reducing impulse control and affecting mood. Once young people are addicted to nicotine, it is extremely difficult to quit. 90% of current middle and high school students that use e-cigarettes are using flavored e-cigarettes.

By allowing counties to enact stricter tobacco and nicotine control regulations than those found at the state level, we can more effectively protect the health of our keiki and their families. There is nothing more important than the health of our young people.

Please support this important bill. Mahalo for your consideration.

Sincerely,

Bryan Mih, MD MPH FAAP

Pediatrician

Medical Director, Kapi'olani Smokefree Families

HB-1563-HD-1

Submitted on: 2/11/2026 2:53:53 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maria Moreno-Chow	Individual	Support	Written Testimony Only

Comments:

Hawai'i counties have been at the forefront of tobacco regulation, and it is time to repeal the 2018 state law that prevents them from taking further action. Flavored tobacco products are particularly appealing to teens and children; in fact, 90% of middle and high school students who use e-cigarettes choose flavored varieties. Please support this bill to enable laws prohibiting the sale of flavored tobacco products to take effect in Honolulu, Hawai'i, and Maui County.

HB 1563

I am writing as a retired neighbor island pediatrician in strong support of HB 1563 to reverse preemption of County powers to regulate health issues locally. Since 2018, when the State Legislature voted for this usurpation of County regulation of the sale of tobacco products, the Legislature, at the urging of the tobacco lobby, has found itself unable to enact a tobacco flavor ban . Flavor bans have been proven to greatly reduce electronic tobacco use in children in other states that have been less reluctant to protect their children. Already Hawaii has one of the highest rates of vaping in the country, - 13% of high school and 10% of middle school students report e-cigarette use - and the neighbor islands are suffering even more. Our schools are staggering under the burden of electronic tobacco devices. And yet, our counties are prohibited from enacting any tobacco control measures whatsoever. Previously this was not the case, and Kauai had great success in decreasing cigarette use among both teens and adults.

Please give our counties back the ability to address our local tobacco issues and protect our citizens, especially children, from the ravages of tobacco use. 82% of registered Hawaii voters support restoring county authority to regulate tobacco.

Linda Weiner, MD
Kauai

Judith F. Clark
48-218 Kamehameha Highway
808-499-9966
Judithforceclark@gmail.com
Kaneohe, Hawaii 96744

February 11, 2026

To: Representative Scot Matayoshi, Chair
And members of the Committee of Consumer Protection and Commerce

Testimony in Support of HB 1563 Relating to Tobacco Products

As a community advocate and the former Executive Director of Hawaii Youth Services Network, I strongly support HB 1563 which gives counties additional authority to regulate tobacco products.

Hawaii has a high rate of youth vaping and manufacturers target youth in their marketing efforts. Allowing counties to implement bans on the sale of flavored tobacco products will reduce youth tobacco usage and prevent the serious health problems that result from tobacco use.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH

HB-1563-HD-1

Submitted on: 2/11/2026 8:16:05 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Santiago	Individual	Oppose	Written Testimony Only

Comments:

Strongly Oppose HB1563

Let's maintain State control and a level playing field for each county. Thank You.

Sincerely,

Brian Santiago

HB-1563-HD-1

Submitted on: 2/11/2026 9:21:10 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristin Mills	Individual	Support	Written Testimony Only

Comments:

Aloha,

As a resident and taxpayer in Pukalani Hawaii, as well as a parent, health educator and epidemiologist, I am in strong support of HB1563.

We need to repeal tobacco preemption and restore county authority to regulate tobacco products. When laws are preempted, they have no force or effect. In the case of tobacco control, local (or county-level) control is very important. Because of the importance of local control, the tobacco industry and its allies have historically used, and continue to use, preemptive strategies to prevent smoke-free laws, youth access, retailer licensing restrictions, advertising and promotion regulations, and similar policies.

When a state has preemption, it takes away the “local voice” and invalidate many local tobacco control policies that represent years of effort. Moreover, once enacted, preemptive laws are traditionally difficult to repeal, and can affect the legal and advocacy landscape for years. When comparing states with and without preemption, research has shown that preemption has resulted in health and social norm disparities.

In terms of tax dollars coming into the state from tobacco sales, (1) other states that have strong tobacco laws, including flavor bans, show that people still spend the same amount of money in their state, just on other products, and (2) when considering the potential of lost funds from tobacco, Hawaii also needs to look at the true costs of healthcare and lost income due to illnesses related to using tobacco. While this last paragraph is not directly related to reversing preemption, it’s important as our efforts have been denied in the past because of statewide concerns over lost income if control is given back to the counties.

Our local voice has been preempted for too long. We have a serious tobacco and vaping epidemic occurring, especially with our youth. And each county has spoken... we want our control back. I am just one voice of many Hawaii voters who want our local voice back.

Please represent what the people of Hawaii want and support HB1563 so we can get back our local voice regarding tobacco control. It is the right thing to do!

Sincerely,

Kristin Mills

Tax payer, parent, epidemiologist, and health educator

HB-1563-HD-1

Submitted on: 2/11/2026 9:21:54 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Valerie Smalley	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Vice Chair,

I am in strong support of HB1563 HD1:

- Tobacco use is the leading cause of preventable deaths.
- 1,400 people die in Hawai‘i each year from tobacco use, cutting a decade off the average smoker’s life.
- Half of smokers die from tobacco-related disease.
- In Hawai‘i more than 13% of high schoolers and 10% of middle schoolers reported using e-cigarettes in 2023.

82% of registered Hawai‘i voters support restoring county authority. Please vote yes to this bill .

Thank You

Valerie Smalley

HB-1563-HD-1

Submitted on: 2/11/2026 9:35:14 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Emma Waters	Individual	Support	Written Testimony Only

Comments:

Writing in strong support of this bill to restore county authority to regulate tobacco. My county, Hawaii County, has already passed legislation that is blocked because the state currently won't let us address this huge problem. Please pass this bill to protect our youth. Mahalo.

HB-1563-HD-1

Submitted on: 2/11/2026 10:18:44 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John A. H. Tomoso	Individual	Support	Written Testimony Only

Comments:

02-11-26

RE: [HB 1563, HD1](#),

Aloha,

I am in strong support of this Bill, which restores the counties' ability to regulate the sale of tobacco products, allowing for innovative policies at the local level, and contributes, greatly, to our public health, intergenerationally.

Mahalo a nui,

John A H Tomoso+, MSW, ACSW

51 Ku'ula St., Kahului, Maui, HI 96732-2906

john.a.h.tomoso@gmail.com.

HB-1563-HD-1

Submitted on: 2/11/2026 10:19:00 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dr. Melissa Kim	Individual	Support	Written Testimony Only

Comments:

As a pediatrician, I have seen first-hand the dramatic increase in youth vaping over the past several years. The bill will help us to fight the youth vaping epidemic by returning authority to the counties to enforce bans on flavored tobacco products. The majority of youth who begin vaping during middle or high school are drawn in by colorful packaging, youth-targeted messaging, and, above all, candy-like flavors that are especially appealing to adolescents. Please vote to pass this common-sense measure to protect our young people.

Mahalo,

Melissa Kim, MD

HB-1563-HD-1

Submitted on: 2/11/2026 10:27:45 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vince Yamashiroya, MD	Individual	Support	Written Testimony Only

Comments:

As a pediatrician, I have seen first-hand the dramatic increase in youth vaping over the past several years. The bill will help us to fight the youth vaping epidemic by returning authority to the counties to enforce bans on flavored tobacco products. The majority of youth who begin vaping during middle or high school are drawn in by colorful packaging, youth-targeted messaging, and, above all, candy-like flavors that are especially appealing to adolescents. Please vote to pass this common-sense measure to protect our young people.

Sincerely,

Vince Yamashiroya, MD

HB-1563-HD-1

Submitted on: 2/11/2026 10:32:37 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rick Collins	Individual	Support	Written Testimony Only

Comments:

Please support and pass this important legislation. This will allow local communities the authority to protect young people from tobacco related harms. It will allow local communities the ability to tailor policies in ways that make it effective at preventing and reducing youth harms.

HB-1563-HD-1

Submitted on: 2/11/2026 10:35:13 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chris Wells	Individual	Oppose	Written Testimony Only

Comments:

Keep it fair for everyone at the State level.

February 11, 2026

House Committee on Consumer Protection and Commerce
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Thursday, February 12, 2026, at 2:00 PM

RE: Strong Support for House Bill 1563 HD1

Aloha Chair Matayoshi, Vice Chair Grandinetti, and fellow committee members,

My name is Emily Heintzelman, and I am a 21-year-old Master of Public Health student and student-athlete at the University of Hawai'i at Mānoa. I am writing in **strong support of House Bill 1563 HD1**. This issue reflects a strong personal commitment to the health and well-being of Hawai'i's keiki. Preventing youth nicotine addiction is not simply a policy discussion to me. Rather, it is a matter of protecting children during critical stages of development and ensuring they have the opportunity to grow into healthy adults.

HB1563 HD1 restores county authority to regulate the sale of cigarettes, tobacco products, and electronic smoking devices. This is a critical consumer protection and public health measure for multiple reasons.

First, flavored tobacco products are intentionally designed and marketed to attract youth. Nearly all tobacco use begins during adolescence or young adulthood. According to the CDC and American Lung Association, almost 9 out of 10 adults who smoke daily first try smoking by age 18, and 95% try by age 21.^{1,2} In Hawai'i, youth vaping remains a serious concern. Recent Department of Health data show that approximately 15% of high school students statewide report current use of electronic smoking devices, with rates reaching nearly one in five students in some counties.³ Nearly one in ten middle school students in several counties also report current vaping. Importantly, survey data show that rates of youth who report having recently experimented with vaping are substantially higher than current (frequent or daily use), indicating that far more adolescents are being exposed to nicotine than are reflected in regular-use statistics.⁴ Flavors such as fruit, menthol/mint, and various candies mask the harshness of nicotine, making initiation easier for adolescents, while colorful packaging, social media marketing, and product placement normalize use among young people.⁵ Allowing counties to restrict flavored products is a targeted, evidence-based strategy to prevent early experimentation and lifelong nicotine addiction.

Second, restoring county authority strengthens consumer protection and regulatory accountability. Current state law preempts local ordinances regulating the sale of tobacco products, limiting counties' ability to tailor policies in response to emerging threats and community-specific needs. Counties across Hawai'i, including Honolulu, Hawai'i County, and Maui County, have already passed ordinances to restrict flavored tobacco sales, reflecting strong community demand. However, these laws can not go into effect until this preemption is repealed. Historically, Hawai'i counties have led on effective tobacco control policies, such as early smoke-free air laws, prohibiting smoking at parks and beaches, and raising the tobacco purchase age, demonstrating local government responsiveness to community health.³ Indeed, an independent poll found that 89% of registered Hawai'i voters support restoring county authority over tobacco regulation.⁴ HB1563 HD1 respects local governance and empowers communities to act in the best interests of their residents.

Third, tobacco use remains the leading cause of preventable death in Hawai'i, resulting in approximately 1,400 deaths annually and more than \$600 million in healthcare costs each year.^{3,6} Tobacco-related illness disproportionately affects lower-income and rural communities. In Hawai'i County, adult smoking prevalence reached 14.5% in 2023, compared to 9% statewide, reflecting persistent geographic disparities in tobacco burden.⁷ Allowing counties to implement stronger point-of-sale regulations can reduce youth initiation and long-term nicotine dependence, lower future health expenditures, protect vulnerable communities, and lessen the financial and public health burden on our state.

As an MPH student focused on health policy and management, I strongly believe that upstream prevention policies are among the most effective and fiscally responsible tools available to lawmakers. HB1563 HD1 reflects best practices in public health and aligns with the youth-centered priorities advanced by Hawai'i Children's Action Network Speaks! and the Keiki Caucus. I support their efforts to protect Hawaii's keiki from predatory marketing and nicotine addiction.

Mahalo for this opportunity to submit testimony, and for your commitment to consumer protection and the health and well-being of Hawaii's keiki. I respectfully urge you to pass HB1563 HD1.

If you or any member of your staff has any questions regarding my testimony, you can reach me at heintzelmane22@gmail.com.

Mahalo nui loa for your time and consideration,
Emily Heintzelman

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1. Youth and Tobacco Use. Centers for Disease Control and Prevention. October 17, 2024. Accessed February 11, 2026.
<https://www.cdc.gov/tobacco/php/data-statistics/youth-data-tobacco/index.html>.
 2. Tobacco Use Among Children and Teens. American Lung Association. Updated November 12, 2024. Accessed February 11, 2026.
<https://www.lung.org/quit-smoking/smoking-facts/impact-of-tobacco-use/tobacco-use-among-children>
 3. Department of Health Extends “Stronger Together” Campaign Exposing Tobacco Industry Targeted Marketing to Hawai‘i’s Youth. State of Hawaii, Department of Health. February 20, 2024. Accessed February 11, 2026.
<https://health.hawaii.gov/news/newsroom/department-of-health-extends-stronger-together-campaign-exposing-tobacco-industry-targeted-marketing-to-hawaiis-youth/>
 4. Comprehensive Tobacco Regulation: Preventing a lifetime of addiction. Hawai‘i Public Health Institute. 2021. Accessed February 11, 2026.
<https://www.hiphi.org/wp-content/uploads/2021/11/HIPHI-Comprehensive-Tobacco-Factsheet.pdf>
 5. Why Youth Vape. Centers for Disease Control and Prevention. October 17, 2024. Accessed February 11, 2026.
<https://www.cdc.gov/tobacco/e-cigarettes/why-youth-vape.html>
 6. The Toll of Tobacco in Hawaii. Campaign for Tobacco-Free Kids. Updated December 15, 2025. Accessed February 11, 2026.
<https://www.tobaccofreekids.org/problem/toll-us/hawaii>
 7. Query Builder for Hawaii’s Behavioral Risk Factor Surveillance System (BRFSS) Data - Cigarettes - Current Smoker. Hawai‘i Health Data Warehouse. Accessed February 11, 2026.
https://hhdw.org/report/query/builder/brfss/SmokeCurrent/SmokeCurrentCrude1_1.html

February 12, 2026

Testimony in STRONG SUPPORT of HB 1563, HD1 “Relating to Tobacco Products”

Aloha Chair Matayoshi, Vice Chair Grandinetti and members of the House Committee on Consumer Protection and Commerce,

I am writing in strong support of HI 1563, HD1 which would amend a law passed during the waning days of the 2018 State Legislative Session through House Bill 1895, which underwent last minute changes and did not receive a public hearing or allow public comment, and amended an otherwise well-meaning and worthy bill to fund needed kidney dialysis centers in the state with a provision that harms public health and helps the tobacco industry. This last minute-added provision blocked (preempts) county governments in Hawaii from passing their own ordinances to reduce tobacco use, including measures addressing the sale of candy-flavored tobacco products and menthol cigarettes that attract kids.

Most of Hawaii’s most effective tobacco-related laws that have contributed to reductions in youth and adult smoking rates began as ordinances passed by Hawaii’s counties. Some of those ordinances, aimed at addressing local public health threats, proved their effectiveness at the county level for years before being replicated by state/and or federal laws.

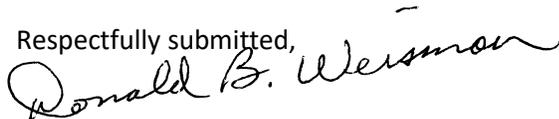
The tobacco industry for years, on the other hand, attempted to advance state legislation that would preempt local government’s home rule on tobacco issues. In fact, former Governor John Waihee vetoed such a bill after it passed through the legislative process citing the need for county governments to be able to address important health issues that affect their communities. Tobacco, which remains the leading preventable cause of death in Hawaii, and which costs the state and its taxpayers over a half-billion dollars annually in healthcare costs, certainly qualifies as a public health threat deserving of both local and state policy attention.

Local governments should be able to determine their own needs for tobacco policies, and the state legislature should support those efforts by establishing a floor, not a ceiling, on what local governments can do to address those needs. Some 1,400 Hawaii residents die each year from tobacco use, and 21,000 kids alive today in Hawaii will die prematurely from tobacco use if nothing is done to reduce it.

HB 1563, HD1 would correct the last minute provision (which today would be deemed illegal if attempted following a state Supreme Court judgement declaring such legislative maneuvers unconstitutional) added to legislation in 2018 which provided the tobacco industry its long sought goal to funnel important, progressive tobacco-control policies only through the state legislative level. There it can focus its resources to defeat those measures, and away from the counties where the industry struggles to compete with community grassroots support for those issues.

I urge your strong support of HB 1563, HD1 and ask that you return county home rule on this most vital public health issue back to local communities.

Respectfully submitted,



Don Weisman
Kailua, HI

Chair Matayoshi, Vice Chair Grandinetti, and Members of the Committee on Consumer Protection & Commerce,

I am in support of HB1563 to restore county authority.

In my school and community, I have seen that vaping takes valuable time away from students' class time and leisure time. It is one of the worst habits a youth can pick up and it stays with them for the rest of their life, negatively impacting their health day by day. Moreover, even if someone does not vape, it still impacts youth because of the peer pressure surrounding them. When everyone around you is vaping it becomes more appealing.

I was in 8th grade when I first started vaping and this was a habit that I carried with me until my freshman year of high school. I had just got accepted to Kamehameha Kapālama and I brought my vape with me. Within a month of attending school, I got suspended for possession and drug usage. I could have gotten expelled and any chance I ever had of getting a good education and scholarships to college would have been gone just like that. It was after this that I made the decision to quit. But it was only after a horrible and life changing situation that moved me to do so. If I had not gotten in trouble at school I am not sure if I ever would have quit. Ultimately, vaping is so addictive and many people that do vape don't have a reason to quit until they are standing face to face with the consequences. This is why it is so important to stop the issue at the root. We need to get rid of accessibility because kids find ways to acquire tobacco products one way or another. As someone who used to vape, it's not worth it and it needs to be taken off the shelves immediately.

I hope you will consider stronger laws that heavily regulate the sales of tobacco products, or better yet, do away with them all together. It is crucial to protect our children, we are the future. Give power back to the county and let them protect their people!

Iwalani
Kailua-Kona

Chair Scot Matayoshi, Vice Chair Tina Grandinetti, and Members of the Committee on Consumer Protection & Commerce,

I am writing in full support of HB1563.

In my school, I have witnessed peers fall unconscious due to the impacts of tobacco. I have witnessed multiple ambulances, police, and emergency responders rush to the gates of my school; causing panic and uncertainty. Not only is tobacco harmful for youth during immediate usage, but impacts the rest of their lives.

This issue matters to me personally because I have lost a family member to tobacco when I was younger. I remember sitting on the carpet with my younger cousin as we got told the obstructing news. Ever since that moment, I swore to myself that I would never put a finger on a tobacco product. To know that 2.25 million U.S. middle and high school students reported use of a tobacco product in 2024 worries me about the impact tobacco businesses grasp on the future generation.

In Hawai'i, three out of four counties have already passed flavor bans, which proves the urgency and reality of this tobacco epidemic.

I hope our future generations can live a full life without the disruptance or temptations of the tobacco industry. I believe our keiki should not be profited off of, but safeguarded through strong public health policies, education, and community-driven prevention efforts. Please pass HB1563.

Mia
Honolulu

Chair - Representative Scot Matayoshi
Vice Chair - Tina Grandinetti
Members of the Committee on Consumer Protection & Commerce

I write this in full support of HB1563. |

In my school or community, I have noticed that vaping has become a trend and is often treated like it's harmless. I have seen students vaping in the bathrooms, at parties, and sometimes even just discussing it among themselves. This has created a trend even though the trend is not healthy or positive. Another thing is how easily youth can access a disposable vape.

Flavored tobacco products stand out to youth because of their lack of taste and appearance compared to plain/regular tobacco. Flavors and designs make teens think that products are fun, safe, and not addictive. However, it misleads teens into believing that it is safe without a full understanding of health risks and addictiveness.

I have seen how vaping affects my peers by increasing their stress, addiction, and distractions while in school. Some find it difficult to get through the day without having to vape, and both the curiosity and the addiction to vape have life-altering consequences.

One experience that showed me how serious this issue is was when I saw how casual vaping has become among students my age. I've seen peers rely on e-cigarettes to get through the school day, hitting them between classes or during breaks. What really stood out was when I was in 8th grade, just trying to go to the bathroom when school started and seeing 3 girls vaping. They saw me and said "You won't tell right?" and since I was new to the school and scared so I just nodded my head. They proceed to ask if I want a hit, I say no and leave. From then on I had seen that people vaping in the bathrooms was a common recurrence. Because of a vape, I couldn't even use the bathroom in peace and this is just in middle school.

Vaping causes problems for young people such as increased stress, dependence on nicotine, and difficulty focusing in school. I've also seen how it creates pressure for others to vape just to fit, even when they have no urge to do so. It changes the whole school environment and makes those unhealthy behaviors feel normal.

Local governments should have the authority to regulate tobacco sales because only the local government can truly reflect the needs of the people. The local government knows the people it serves best, especially the youth. In fact, the local government is the closest to the people it serves, and it is the very body that should be able to address the rapid rise of the youth's use of

vape products. By depriving the local government of the said regulatory power, the local government cannot serve the youth well.

In Hawai'i, three out of four countries have voted in favor of our bans, demonstrating public support for preventing youth from flavored tobacco products. They are the voice of our communities, health experts, and our young people who see firsthand how flavors attract and hook youth. The fact that most countries have acted shows that this is not a controversial issue- it is a shared priority.

I hope you will consider stronger laws that safeguard our youth against nicotine addiction. Please restore power to regulate tobacco sales to country governments and banning sales of those little electronic cigarettes. Stiffer country laws are necessary to prevent our children from being marketed with harmful tobacco products.

I hope future keiki won't have to deal with the pressures of vaping in school or dealing with health hazards of a nicotine high in general. I hope that no child feels as though vaping is just another necessity of being young and growing up.

I hope Hawai'i can be a safer place for kids by prioritizing youth health and restricting access to flavored and disposable tobacco products that are targeting our youth and trying to lure them into nicotine addiction and disease. Lawmakers are now presenting an opportunity to build a healthier school environment, community, and future for our youth.

Lily
Kapolei

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Roxan. I am a high school student from the Big Island, and I am here in support of HB1563 to restore county authority to regulate tobacco sales.

What urged me to speak today was something my sister told me about a coworker who couldn't get through a single shift without his vape. One day, he forgot it and asked his mom to drive from his house back to his workplace, just to bring it to him. When she told me this, his situation stayed with me. Not because it was perplexing, but because it felt normal.

The way we've validated this dependency worries me. We youth grow up watching adults rely on these products, and after a while it just feels like a part of everyday life. Kids in bathrooms 24/7 and asking other students if they carry a vape. These products are not harmless, they're already causing harm. In Hawai'i, about 1,400 people die each year from tobacco-related causes. They're sold as a safer alternative to tobacco, but they hook just as fast, and leave behind waste. Right in front of us, we can see the harm in schools, workplaces, and everywhere we go. Time is not the issue, children's lives are. Restoring county authority would let us stop this before more harm is perceived as normal.

As a student from Hilo, this step is necessary for the health of our keiki, our kupuna, and ourselves.

Thank you for the opportunity to testify. Mahalo.

Roxan Gel
Hilo

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in full support of HB1563.

My name is Brielle and I live on the Island of O'ahu. I am concerned about youth vaping because it will only get worse from what is happening in my community unless we act to stop vaping. It makes me worried about the health of youth and the environment that it affects. One example I can share is that, when I was at a store, I saw a younger girl (high school) buying a vape and got the most colorful vape. This is bad because the color and flavors attract our youth. Your support matters to students like me because you can make a difference to stop the issue. I hope you will consider stronger laws that prevent any form of vaping and cigarettes. I hope Hawai'i can be a safer place for kids. Mahalo for listening to my testimony.

Brielle
Grade 8

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Mao and I am a middle school student on O'ahu. I am writing in full support of HB1563.

I am concerned about youth vaping because I heard that vaping is very addicting and can result in a very high risk of diseases like cancer and even deaths. Vaping is way more addictive than tobacco and has many dangerous chemicals that get you a higher chance of cancer. One example I can share is from my friend in high school. Since students vape in school bathrooms, other students don't want to use it because they are scared of getting bullied by seeing the people vape. This results in students having to wait to use the bathroom until they get home. Helping to stop youth vaping would make our community healthier because it solves many problems. For example, there are many physical and mental problems from vaping, so stopping vapes could get people to maintain a healthy body. Stopping vapes could reduce pollution too.

I hope that you will consider making tobacco/vaping laws stricter for kids to have a safer place to live. Thank you so much for caring about Hawai'i's youth.

Mao
Grade 8

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in full support of HB1563.

I am Airi and I am a middle schooler on O'ahu island. I am really concerned about youth vaping because it is very addicting and can affect our health really badly. Even if the student is not the smoker, inhaling the smoke can damage your health really bad. A time I realized vaping was a serious issue was when I heard about kids smoking at my school. My friends told me there was a kid smoking in the restroom. I never thought middle schoolers would vape, especially at school! Your support matters a lot because tobacco can crash that person's life. Once they touch tobacco, they will get addicted and can't go back to their healthy body.

I hope you will consider making the laws stronger so future students will have a bright healthy life. Thank you so much for caring about Hawai'i's youth.

Airi

Grade 8

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in full support of HB1563.

My name is Elena and I live on the island of O'ahu. It makes me worried when I see all the problems vaping causes, especially in teens. When teens start vaping, they get addicted and eventually get hurt because of it. A time I realized vaping was a serious issue was when I was driving through the city and I saw vape shops with teens sitting outside, holding vapes in their hands. Your support matters to students like me because we know that vaping harms people, but some students don't know that. With your help, we could inform more teens about the side effects of vaping. I hope future students won't have to deal with seeing or hearing about their classmates vaping. Thank you for caring about Hawai'i's youth

Elena
Grade 7

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in full support of HB1563.

My name is Catherine and I'm concerned about youth vaping because it can cause major problems to the bodies of those who vape. The lungs, heart, and even the brain can be damaged. This can cause life-threatening changes and even death. But even though I don't vape, it still affects me because the loss of thousands of lives from just vaping is something I don't want to keep happening. Your support matters to students like me because being able to help stop this huge problem can benefit us even more by saving lives. I hope you will consider stronger laws that are able to protect younger kids from vaping more successfully in the future. Mahalo for listening to my testimony.

Catherine

Grade 7

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in full support of HB1563.

My name is 'Aukai and I'm in 7th grade. In my school and community, I've noticed that a lot of people vape around the community. At school, people vape in the bathroom so they won't get caught. Even if I don't vape, it still affects me because vaping can cause deaths, illnesses, and people and teens can become addicted to them over time. Your support matters to students like me because we can stop illnesses and deaths happening around the world and stop teens from vaping. I hope Hawai'i can be a safer place for kids by stopping and getting rid of cigarettes so we can stop the addiction of vapes. If we can stop this, we can stop deaths, illnesses, and lung damage.

Mahalo for listening to my testimony.

'Aukai
Grade 7

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in full support of HB1563.

My name is Evan and I'm in 8th grade on the island of O'ahu. It makes me worried when there's youth on my island who are exposed to harsh vape chemicals that will affect their lives because there are companies who are targeting this audience group for money. A time when I realized vaping was a serious issue was when there were relatives of mine who couldn't last a simple 20 minutes without it. I believe you can help by taking action to become more strict on who can access vapes. I hope the outcome will lower the tobacco rates in all schools on O'ahu. Thank you for caring about Hawai'i's youth.

Evan

Grade 8

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in full support of HB1563.

My name is Paul and I am concerned about youth vaping. My reason for this is because my mom vapes and people at our school also vape. I'm speaking up for the kids that get addicted. Vaping within youth could be stopped because of their health and sports / people of sports teams are affected because their lungs are affected because of it. Also they can ruin their chances of having a good life.

Paul

Grade 7

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in full support of HB1563.

My name is Kellan and I'm in 8th grade. I am concerned about youth vaping because it isn't good for them. One example I can share is my friend that I used to skate with had become addicted to vapes. It was a problem because he couldn't go 5 minutes without it. He also couldn't breathe when he got injured. I hope you will consider stronger laws that will stop youth vaping. Mahalo for listening to my testimony.

Kellan
Grade 8

HB-1563-HD-1

Submitted on: 2/11/2026 12:59:38 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shani Carvalho	Hamakua-Kohala Health	Support	Written Testimony Only

Comments:

Aloha nui kākou,

My name Shani Kai Carvalho of Paauilo, Hāmākua.

I serve my community as a certified Tobacco Treatment Specialist at Hamakua-Kohala Health Hawaii Island and am a mother of four ages 8-18, and I strongly support HB 1563 HD1.

Over the years Hawaii Island has lead the way in passing laws at the county level such as raising the age from 18 to 21, smoke and vape free environments including smoke free cars with keiki.

At the present time while we holomua, move forward to protect our Keiki against big tobacco and vaping companies we kindly ask your continued support and passing of HB 1563 HD1 to restore local control back to the counties to regulate tobacco sales.

As a health educator on the harmful effects of electronic smoking devices, the youngest student I worked with to get her quit, was 11 years old, she started vaping at 8 years old. This is one of many stories we see daily in both our public and private schools.

Please choose our Keiki. Let us protect them at the county level as we have historically done so with success. Bills in Honolulu county, Hawaii and Maui county to end the sale of flavored tobacco has already been signed by our mayors, we are makaukau, we are ready. Please choose our Keiki.

Mahalo piha kakou ❤️

Luke Itomura

February 12, 2026

House Committee on Consumer
Protection & Commerce

TESTIMONY IN STRONG SUPPORT OF HB1563

Aloha Chair Matayoshi, Vice Chair
Grandinetti, and members of the
Committee on Consumer Protection &
commerce,



**Photo of Collected Vapes from Schools Across
Hawaii**

Thank you for the opportunity to submit testimony in **strong support of HB1563**. I am Luke Itomura, and I am a high school student. I am testifying to express my strong support for HB1563. Today, I stand alongside numerous Hawaii youth united against the alarming youth-flavored vaping epidemic that threatens our health and future. We collectively believe that passing this legislation is an essential step in protecting the health and future of the youth.

At just 13 years old, I was offered a flavored vape by another youth for the first time. This youth smoker used many tactics to peer pressure me into trying it. Their main tactic was telling me it was a delicious Hawaiian Sun flavor; a local favorite. At that moment, I realized how easy it is to fall for the appeal of flavored vapes. My friends in the sixth grade had also mentioned that they were offered flavored vapes. For people as young as twelve, flavors like watermelon or Jolly Rancher are an enticing death trap. What starts as innocent curiosity can turn into a lifelong addiction filled with lung cancer, strokes, heart disease, and countless other diseases. There is no other product on the market that kills up to 50% of its users who don't quit ([WHO](#)).

Advocates have worked to pass bills that end the sale of flavored tobacco in the City and County of Honolulu, the County of Hawai'i, and the County of Maui. The counties have given the state a clear message to protect our keiki and restore their authority to regulate tobacco sales by passing HB1563. Past precedent proves that **bills that end the sale of flavored tobacco are effective**. A study published in JAMA Network evaluating statewide restrictions on flavored e-cigarette sales in the US from 2014 to 2020 found that statewide restrictions were associated with reductions of 25.01% to 31.26% in total e-cigarette unit sales compared to states without restrictions ([Ali et al. 2022](#)). Thus, it is clear that similar results will yield from the passage of HB1563, protecting our innocent keiki from Big Tobacco

Many opposers bring up the argument that Hawaii would lose tax revenue by banning flavored tobacco products. However, the full picture must be taken into account. The reality is that while the state would likely see a reduction of tax revenue in the short term, **long-term cost savings would be substantial**. A report by the Campaign for Tobacco-Free Kids ([CTFK](#)) found the following:

Annual healthcare costs in Hawaii directly caused by smoking	\$611 million
Medicaid costs caused by smoking in Hawaii	\$152.3 million
Residents' state & federal tax burden from smoking-caused government expenditures	\$955 per household
Smoking-caused productivity losses in Hawaii (from smoking-caused premature death and illness that prevent people from working)	\$1.1 billion

By passing HB1563, Hawaii can reduce these costs, thereby saving more in the long run. A study by Stanford University shows that Hawaii can expect these savings: it found that prohibiting flavored tobacco leads to savings in healthcare expenses and increased labor productivity ([Proctor 2013](#)). **84% of Hawaii registered voters support ending the sale of flavored tobacco products**, justifying that this is a highly wanted policy ([Ward Research](#)).

Flavored tobacco has no place in the hands of the youth. Passing HB1563 is the first step in securing a tobacco-free future.

Thank you for your time.

Mahalo,

Luke Itomura

LATE

HB-1563-HD-1

Submitted on: 2/11/2026 2:30:21 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jake J. Watkins	Individual	Oppose	Written Testimony Only

Comments:

We need to maintain state control so businesses can compete on a level playing field.

LATE

HB-1563-HD-1

Submitted on: 2/11/2026 2:40:36 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Katie Folio	Individual	Support	Written Testimony Only

Comments:

Aloha Honorable Chair and Committee Members,

Mahalo for the opportunity to testify in strong support of HB1563 HD1.

Preemption has long been used by the tobacco industry to block local innovation and limit communities’ ability to respond to emerging public health concerns. Some of the most impactful tobacco control policies, including raising the minimum legal sales age to 21 and strengthening smoke-free air laws, began at the county level before becoming state and federal standards. Local jurisdictions are often where effective, community-driven solutions are first developed and tested.

Please restore counties’ authority to regulate tobacco so they can advance prevention strategies that reflect the needs and values of their communities. Protecting local control strengthens public health and helps prevent industry interference from undermining progress.

Mahalo for your consideration.

Katie Folio
Kula, Maui resident and mother

LATE

HB-1563-HD-1

Submitted on: 2/11/2026 9:37:35 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anna-Kaella Ramos	Individual	Support	Written Testimony Only

Comments:

As a pediatrician, I have seen first-hand the dramatic increase in youth vaping. The majority of youth who begin vaping during middle or high school are drawn in by colorful packaging, youth-targeted messaging, and, above all, candy-like flavors that are especially appealing to adolescents. The bill will help us to fight the youth vaping epidemic by returning authority to the counties to enforce bans on flavored tobacco products. Please vote to pass this common-sense measure to protect our young people.

Mahalo,

Anna-Kaella Ramos, MD

LATE

HB-1563-HD-1

Submitted on: 2/11/2026 10:42:45 PM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
An Vo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Matayoshi, Vice Chair Grandinetti, and Members of the Consumer Protection & Commerce Committee,

My name is An and I'm a college public health student on O'ahu. I'm testifying in support of HB1563 HD1 to restore county authority to regulate tobacco sales.

In high school, my classmates vaped in restrooms so often that I felt annoyed that the boys restroom was always closed, but the girls restroom was open. Years later, I am concerned that my college peers vape secretly during or on school grounds, even during class.

Local communities know the problems that affect our public health. We need local governments to have the authority to regulate tobacco sales because local people know what solutions we need, and we need solutions now. I hope Hawai'i will be run by the local government.

I urge you to support HB1563 HD1 to restore county authority to regulate tobacco sales. Mahalo for caring about Hawai'i's keiki and kupuna.

Mahalo nui loa,
An
Honolulu, HI

LATE

HB-1563-HD-1

Submitted on: 2/12/2026 5:45:27 AM

Testimony for CPC on 2/12/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bob Grossmann, PhD	Individual	Support	Written Testimony Only

Comments:

The youth, public health issues are severe enough to allow the counties to try new approaches to reduce addiction, lung damage and other health concerns.