

ELECTRONIC SMOKING DEVICE LEGISLATION - 2021

Hawaii Tobacco Prevention and Control Trust Fund
Advisory Board Meeting

June 18, 2021

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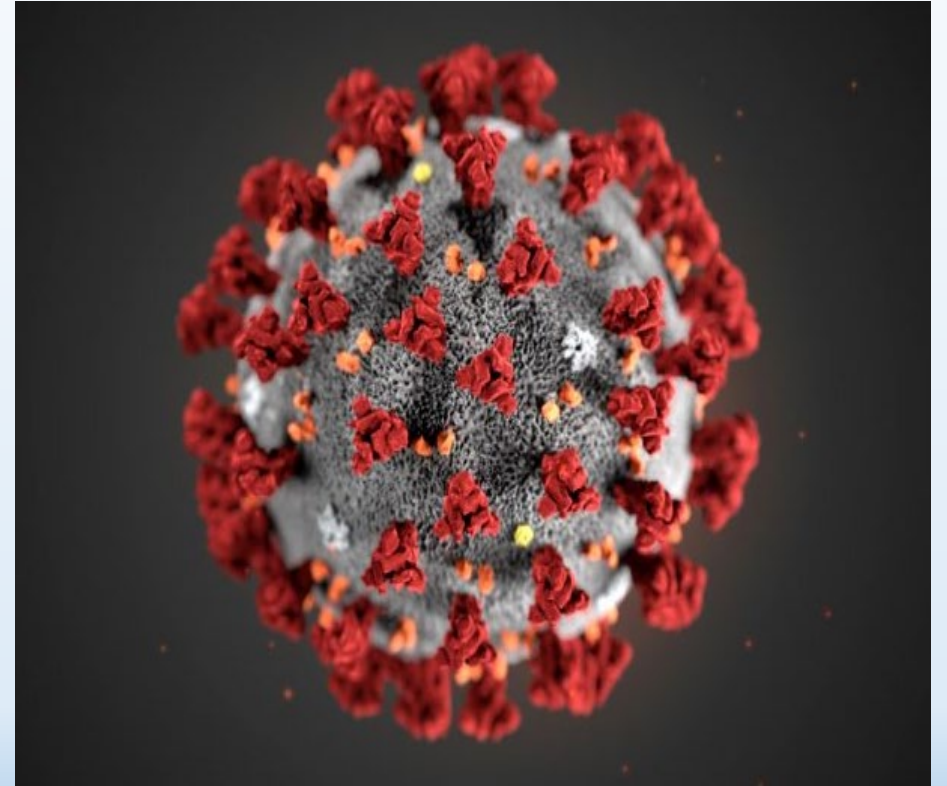


Tobacco Prevention and Control Section

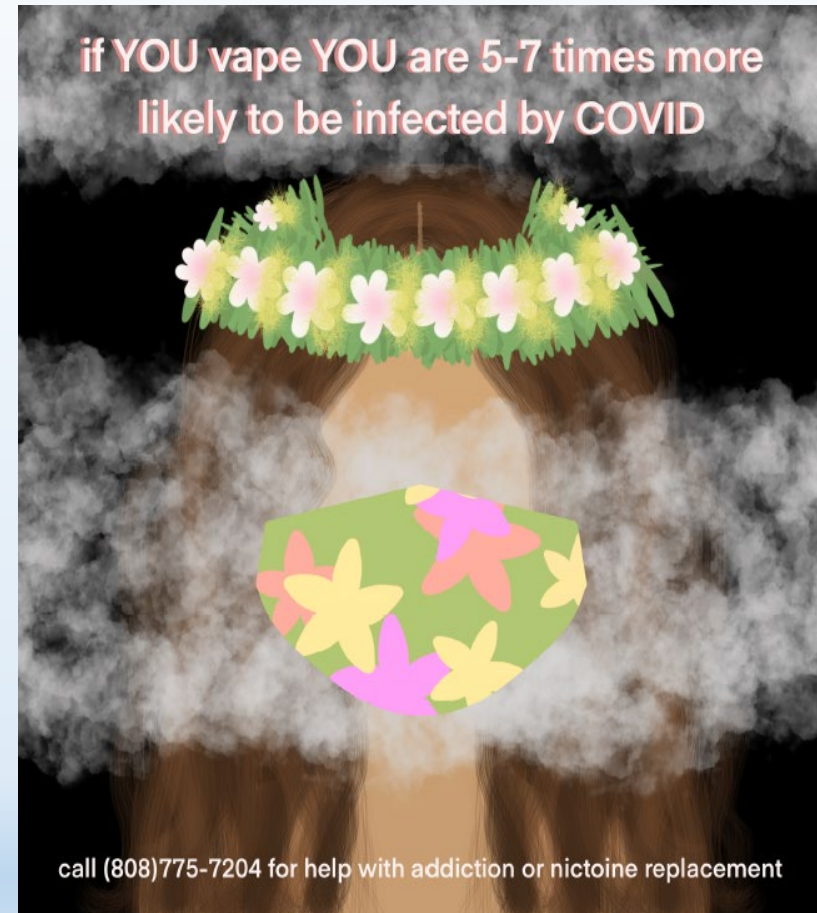
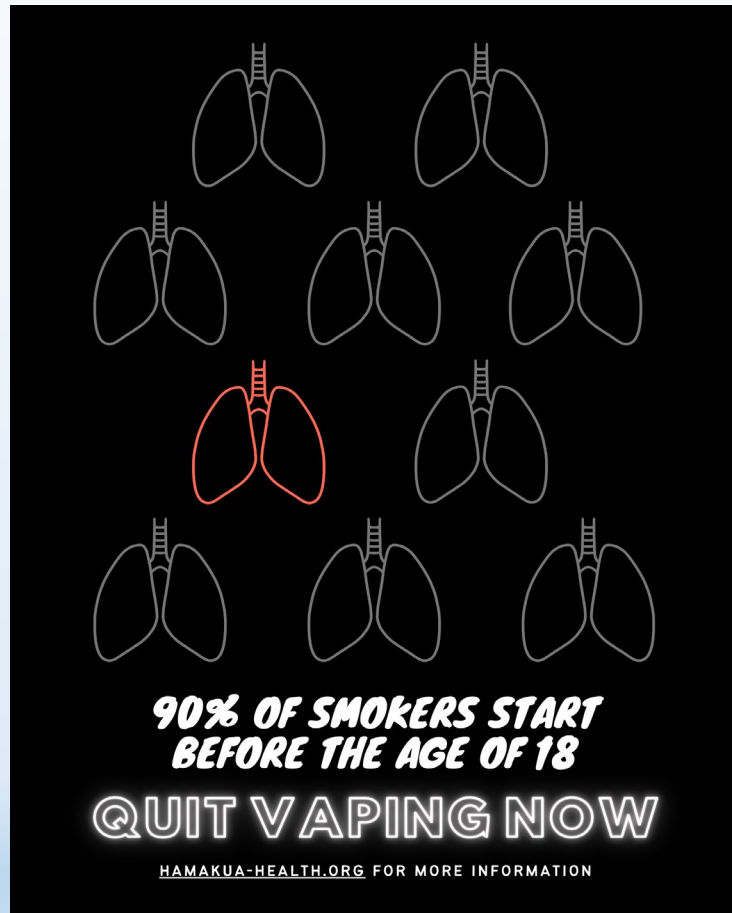
2021 Legislative Session

Top issues:

- Addressing economic fallout from COVID-19
- Balancing the state budget
- Rebuilding a better Hawaii



Vaping Remains a Public Health Issue



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Multiple ESD BILLS WERE INTRODUCED

Few Scheduled Triple Referrals



Regulating ESDs as
tobacco products



Eliminating flavors



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Saga of ESD bills

- **Governor's packet: Senate bill**, contained regs and flavor ban (without menthol), survived Senate hearings, had a quadruple referral
- **Comprehensive bill: Senate bill**, afflicted with a narrow title ...
- **ESD Regulation:** House bills, one compromised by altered definition of tobacco product and retailer permit disclosure; the other taxed cartridges, open-systems, and created new MRTP tax, crossed over and deferred
- **ESD Enforcement: House bill**, required AG to enforce federal regs and proposed youth penalty. Morphed to include flavor ban



The Metamorphosis of One Bill

SB 63

Deferred due to a narrow bill title, "Relating to Electronic Smoking Devices"

Contents of SB 63 inserted into SB 1147, which had a broader title "Relating to Tobacco Products"

SB 1147

Received a quadruple referral in the House (HHH, CPC, JHA, FIN) and was not scheduled for a hearing

Senate revived comprehensive regulations by inserting SB 1147 language into HB 826

HB 826

House and Senate could not come to agreement in conference.



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Opening Day

1st Lateral

1st Crossover

2nd Lateral

2nd Crossover

Conference Committee

Sine Die

Conference Committee

- Last remaining bill deferred indefinitely because House and Senate conferees could not come to any agreement before the deadline.
- Unfortunately, the legislature did not pass any regulations on e-cigarettes this session.



Mahalo

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