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# A BILL FOR AN ACT

RELATING TO GENETICALLY MODIFIED ORGANISMS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 321-11.6, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~{}~~§321-11.6~~}~~ **Genetically modified organisms**~~[-]~~;  
4 **notification and certification.** (a) Any person who proposes to  
5 research, test, propagate, cultivate, grow, or produce any  
6 genetically modified organisms shall:

7           (1) Notify the department of the person's intent to  
8 conduct these activities; and

9           (2) Obtain certification from the department prior to  
10 conducting these activities.

11           (b) The department shall examine and evaluate each  
12 proposed genetically modified organism research project;  
13 testing, propagating, cultivating, or growing technique; or  
14 product for its risk to public health and to the environment.

15 The department shall issue certification of approval after  
16 determining that the proposed genetically modified organism  
17 research, testing, propagating, cultivating, growing, or



1 production does not pose a risk to public health or the  
2 environment. The certification shall include information on:

3 (1) What organism will be researched, tested, cultivated,  
4 propagated, grown, or produced;

5 (2) The person or company proposing to conduct the  
6 genetically modified organism-related activities;

7 (3) How many organisms will be researched, tested,  
8 cultivated, propagated, grown, or produced;

9 (4) The purpose of the genetically modified organism-  
10 related activities;

11 (5) The location of the genetically modified organism-  
12 related activities; and

13 (6) Any other information the department may deem  
14 necessary.

15 All certifications shall be available to the public at the  
16 department's office or on the department's website.

17 (c) Any applicant to any federal agency for any permit for  
18 or approval of any bioproduct, field testing of genetically  
19 modified organisms, or environmental impact assessment of  
20 genetically modified organisms shall submit one copy of that  
21 application to the department, at the same time that the  
22 application is submitted to the federal agency.



1        (d) The department shall adopt rules pursuant to chapter  
2 91 to implement this section.

3        (e) As used in this section:

4        "Genetically modified organism" means a life form or its  
5 living progeny that has been altered at the nucleic acid level,  
6 using the techniques collectively referred to as recombinant DNA  
7 technology.

8        "Recombinant DNA technology" means the transfer of genes,  
9 regulatory sequences, or nucleic acid between hosts by the use  
10 of vectors or laboratory manipulations and include the  
11 insertion, excision, duplication, inactivation, or relocation of  
12 specific genes, regulatory sequences, or sections of nucleic  
13 acid. This term does not apply to material or an organism  
14 developed exclusively through traditional methods of breeding,  
15 hybridization, or nondirected mutagenesis."

16        SECTION 2. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18        SECTION 3. This Act shall take effect upon its approval.

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**Report Title:**

Genetically Modified Organisms; DOH Notification and Certification

**Description:**

Requires persons proposing to engage in testing, propagating, cultivating, and growing GMOs to notify DOH and obtain a certification from DOH.

