
HOUSE RESOLUTION

URGING STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO ABIDE BY
STATE LAWS RELATING TO THE MEDICAL USE OF CANNABIS.

1 WHEREAS, the legislative intent of Act 228, Session Laws of
2 2000, was to ensure that seriously ill people are not penalized
3 by the State for the medical use of cannabis; and
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5 WHEREAS, Act 228, which is codified in part IX of Chapter
6 329, Hawaii Revised Statutes (HRS), permits qualified patients
7 to use cannabis for strictly medical purposes when the patient's
8 treating physician provides a professional opinion that the
9 benefits of the medical use of cannabis would likely outweigh
10 the health risks for the qualifying patient; and
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12 WHEREAS, section 329-122, HRS, permits qualifying patients
13 and their primary caregivers to mutually possess an amount of
14 cannabis that is not more than is reasonably necessary to assure
15 the uninterrupted availability of cannabis for the purpose of
16 alleviating the symptoms or effects of a qualifying patient's
17 debilitating medical condition; provided that this amount does
18 not exceed three mature cannabis plants, four immature cannabis
19 plants, and one ounce of usable cannabis per each mature plant;
20 and
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22 WHEREAS, it is often difficult for qualifying patients to
23 acquire and cultivate cannabis for medical use; and
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25 WHEREAS, since the enactment of Act 228, state and local
26 law enforcement agencies have authorized and conducted searches
27 of qualifying patients' property and seized supplies of medical
28 cannabis that state law permits qualifying patients to possess
29 and use; now, therefore,
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31 BE IT RESOLVED by the House of Representatives of the
32 Twenty-fifth Legislature of the State of Hawaii, Regular Session
33 of 2009, that state and local law enforcement officers are urged
34 to abide by state laws regarding the medical use of cannabis;
35 and



1 BE IT FURTHER RESOLVED that the Attorney General is
2 requested to look into the benefits of transferring the program
3 that deals with medical cannabis from the Department of Public
4 Safety to the Department of Health; and
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6 BE IT FURTHER RESOLVED that certified copies of this
7 Resolution be transmitted to the Governor, Director of Public
8 Safety, state Attorney General, Director of Health, and the
9 police departments of the counties of Maui, Kauai, and Hawaii,
10 and the City and County of Honolulu.

