

JAN 21 2011

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. This Act removes marijuana (cannabis) and
2 tetrahydrocannabinols (THC), the active ingredient in marijuana,
3 from the current classifications as schedule I controlled
4 substances to the more appropriate schedule III controlled
5 substances. According to existing law, a substance is placed in
6 schedule III if the substance has a degree of danger or probable
7 danger less than schedules I and II controlled substances.
8 Schedule II controlled substances currently include heroin and
9 opiates like oxycodone, methadone, tapentadol, fentanyl, and
10 amphetamine and methamphetamine, all of which have been linked
11 to deaths by overdoses. In contrast, marijuana has not been
12 linked to overdose deaths. In addition, the pharmaceutical drug
13 dronabinol also known as marinol, which contains one hundred per
14 cent synthetic THC, is classified as a schedule III controlled
15 substance. This measure places marijuana and marinol in the
16 same schedule, in recognition that medical use of marijuana is
17 permitted in Hawaii.

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1 The purpose of this Act is to remove marijuana and
2 tetrahydrocannabinols from the schedule I controlled substances
3 and place them in the schedule III controlled substances.

4 SECTION 2. Section 329-14, Hawaii Revised Statutes, is
5 amended by amending subsection (d) to read as follows:

6 "(d) Any material, compound, mixture, or preparation that
7 contains any quantity of the following hallucinogenic
8 substances, their salts, isomers, and salts of isomers, unless
9 specifically excepted, whenever the existence of these salts,
10 isomers, and salts of isomers is possible within the specific
11 chemical designation:

- 12 (1) Alpha-ethyltryptamine (AET);
- 13 (2) 2,5-dimethoxy-4-ethylamphetamine (DOET);
- 14 (3) 2,5-dimethoxyamphetamine (2,5-DMA);
- 15 (4) 3,4-methylenedioxy amphetamine;
- 16 (5) 3,4-methylenedioxymethamphetamine (MDMA);
- 17 (6) N-hydroxy-3,4-methylenedioxyamphetamine (N-hydroxy-
18 MDA);
- 19 (7) 3,4-methylenedioxy-N-ethylamphetamine (MDE);
- 20 (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 21 (9) 4-bromo-2,5-dimethoxy-amphetamine (4-bromo-2,5-DMA);
- 22 (10) 4-Bromo-2,5-dimethoxyphenethylamine (Nexus);



- 1 (11) 3,4,5-trimethoxy amphetamine;
- 2 (12) Bufotenine;
- 3 (13) 4-methoxyamphetamine (PMA);
- 4 (14) Diethyltryptamine;
- 5 (15) Dimethyltryptamine;
- 6 (16) 4-methyl-2,5-dimethoxy-amphetamine;
- 7 (17) Gamma hydroxybutyrate (GHB) (some other names include
- 8 gamma hydroxybutyric acid; 4-hydroxybutyrate; 4-
- 9 hydroxybutanoic acid; sodium oxybate; sodium
- 10 oxybutyrate);
- 11 (18) Ibogaine;
- 12 (19) Lysergic acid diethylamide;
- 13 [~~(20)~~ Marijuana];
- 14 [~~(21)~~] (20) Parahexyl;
- 15 [~~(22)~~] (21) Mescaline;
- 16 [~~(23)~~] (22) Peyote;
- 17 [~~(24)~~] (23) N-ethyl-3-piperidyl benzilate;
- 18 [~~(25)~~] (24) N-methyl-3-piperidyl benzilate;
- 19 [~~(26)~~] (25) Psilocybin;
- 20 [~~(27)~~] (26) Psilocyn;
- 21 [~~(28)~~] (27) 1-[1-(2-Thienyl) cyclohexyl] Pyrrolidine (TCPy);
- 22 [~~(29)~~ Tetrahydrocannabinols];



- 1 ~~(30)~~ (28) Ethylamine analog of phencyclidine (PCE);
- 2 ~~[(31)]~~ (29) Pyrrolidine analog of phencyclidine (PCPy, PHP);
- 3 ~~[(32)]~~ (30) Thiophene analog of phencyclidine (TCP; TCP);
- 4 ~~[(33)]~~ (31) Gamma-butyrolactone, including butyrolactone;
- 5 butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone
- 6 dihydro; dihydro-2(3H)-furanone; tetrahydro-
- 7 2-furanone; 1,2-butanolide; 1,4-butanolide;
- 8 4-butanolide; gamma-hydroxybutyric acid lactone;
- 9 3-hydroxybutyric acid lactone and 4-hydroxybutanoic
- 10 acid lactone with Chemical Abstract Service number
- 11 96-48-0 when any such substance is intended for human
- 12 ingestion;
- 13 ~~[(34)]~~ (32) 1,4 butanediol, including butanediol; butane-
- 14 1,4-diol; 1,4- butylenes glycol; butylene glycol;
- 15 1,4-dihydroxybutane; 1,4- tetramethylene glycol;
- 16 tetramethylene glycol; tetramethylene 1,4- diol with
- 17 Chemical Abstract Service number 110-63-4 when any
- 18 such substance is intended for human ingestion;
- 19 ~~[(35)]~~ (33) 2,5-dimethoxy-4-(n)-propylthiophenethylamine
- 20 (2C-T-7), its optical isomers, salts, and salts of
- 21 isomers;



- 1 [~~(36)~~] (34) N-benzylpiperazine (BZP; 1-benzylpiperazine) its
- 2 optical isomers, salts, and salts of isomers;
- 3 [~~(37)~~] (35) 1-(3-trifluoromethylphenyl)piperazine (TFMPP),
- 4 its optical isomers, salts, and salts of isomers;
- 5 [~~(38)~~] (36) Alpha-methyltryptamine (AMT), its isomers,
- 6 salts, and salts of isomers;
- 7 [~~(39)~~] (37) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-
- 8 DIPT), its isomers, salts, and salts of isomers;
- 9 [~~(40)~~] (38) Salvia divinorum;
- 10 [~~(41)~~] (39) Salvinorin A; and
- 11 [~~(42)~~] (40) Divinorin A."

12 SECTION 3. Section 329-18, Hawaii Revised Statutes, is
13 amended by amending subsection (h) to read as follows:

14 "(h) Hallucinogenic substances, unless listed in another
15 schedule, shall include Dronabinol (synthetic), in sesame oil
16 and encapsulated in a soft gelatin capsule in a United States
17 Food and Drug Administration approved drug product ~~[]~~, as well
18 as marijuana and tetrahydrocannabinols."

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

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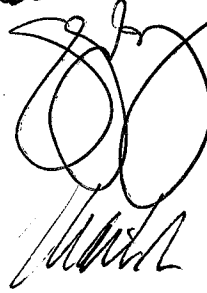
1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

Controlled Substances; Marijuana

Description:

Removes marijuana and tetrahydrocannabinols from the schedule I controlled substances list and places them in the schedule III controlled substances list.

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