
A BILL FOR AN ACT

RELATING TO MEDICAL MARIJUANA RESEARCH.

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

1 SECTION 1. The legislature recognizes that the use of
2 medical marijuana warrants further research. As with other
3 medications, this is done by conducting formal peer-reviewed
4 research that investigates the chemical composition and
5 therapeutic effects of medical marijuana in a controlled pre-
6 clinical and clinical laboratory setting. It is also important
7 that research be conducted on the unique strains of marijuana
8 that have been developed in Hawaii.

9 The purpose of this Act is to establish a three-year pilot
10 medical marijuana research program in the State to provide a
11 means by which a team of qualified researchers could undertake
12 medical marijuana research involving local qualifying medical
13 marijuana patients under the protection of state law.

14 SECTION 2. Pilot medical marijuana research program;
15 requirements. (a) There is established in the department of
16 public safety a pilot medical marijuana research program. An
17 individual or organization seeking to conduct a medical



1 marijuana research project shall submit an application to the
2 department of public safety.

3 Upon approval, the department shall issue a permit to
4 conduct medical marijuana research. The department may charge a
5 one-time fee of \$3,000 to cover costs to the State for
6 overseeing the licensing process over the period of the research
7 program. The individual or organization shall submit an annual
8 report on the purpose, status, and results of all completed and
9 ongoing studies to the department.

10 (b) Any individual or organization conducting a pilot
11 research project under this Act shall be responsible for
12 providing and maintaining a dedicated research facility and may
13 be funded by public or private sources.

14 All cultivation of marijuana for a research project shall
15 take place in an enclosed, secured facility. All facilities
16 containing inventories of marijuana shall be equipped with
17 twenty-four hour indoor and outdoor video surveillance with
18 digital archiving capability and a fully operational security
19 system to deter and prevent unauthorized entrance. Access to
20 these facilities shall be limited to the principal researcher
21 and employees of the research facility, when acting in their
22 official capacity, and qualifying patients participating in the



1 research program who have registered the individual or
2 organization conducting the research project as their primary
3 caregiver in accordance with subsection (d).

4 (c) Research protocols that involve human subjects shall:

5 (1) Receive approval from an institutional review board;

6 and

7 (2) Comply with all provisions of part IX of chapter 329.

8 For the purpose of this section, "institutional review
9 board" means an institutional review board established in
10 accordance with 7 Code of Federal Regulations 1c.107, 10 Code of
11 Federal Regulations 745.107, 14 Code of Federal Regulations
12 1230.107, 15 Code of Federal Regulations 27.107, 16 Code of
13 Federal Regulations 1028.107, 21 Code of Federal Regulations
14 56.107, 22 Code of Federal Regulations 225.107, 24 Code of
15 Federal Regulations 60.101, 28 Code of Federal Regulations
16 46.107, 32 Code of Federal Regulations 219.107, 34 Code of
17 Federal Regulations 97.107, 38 Code of Federal Regulations
18 16.107, 40 Code of Federal Regulations 26.107, 45 Code of
19 Federal Regulations 46.107, 45 Code of Federal Regulations
20 690.107, or 49 Code of Federal Regulations 11.107.

21 (d) All qualifying patients participating in the research
22 program shall register the individual or organization conducting



1 the applicable research project as their primary caregiver. The
2 number of marijuana plants jointly possessed by qualifying
3 patients participating in the research program and the
4 individual or organization conducting the research project shall
5 not exceed an adequate supply for each patient, as defined in
6 section 329-121, Hawaii Revised Statutes.

7 (e) The research project may begin to possess and grow
8 marijuana plants as soon as the potential study protocol has
9 received institutional review board approval.

10 (f) An individual or organization conducting a research
11 project may accept marijuana plants and seeds for study from
12 qualifying patients participating in the research program who
13 have registered the individual or organization as their primary
14 caregiver in accordance with subsection (d).

15 SECTION 3. Section 329-123, Hawaii Revised Statutes, is
16 amended by amending subsection (c) to read as follows:

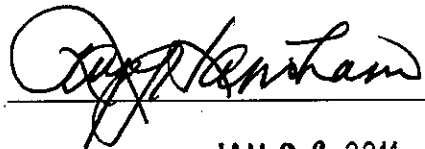
17 "(c) Primary caregivers shall register with the department
18 of public safety. [~~Every~~] Except as provided in Act _____,
19 Session Laws of Hawaii 2011, every primary caregiver shall be
20 responsible for the care of only one qualifying patient at any
21 given time."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2011, and
4 shall be repealed on June 30, 2014; provided that section 329-
5 123, Hawaii Revised Statutes, shall be reenacted in the form in
6 which it read on the day before the effective date of this Act.

7

INTRODUCED BY: 
JAN 26 2011



Report Title:

Medical Marijuana; Research Program

Description:

Establishes a 3-year pilot medical marijuana research program in the State to provide a means by which a team of qualified researchers could undertake medical marijuana research involving local qualifying medical marijuana patients. Effective 7/1/11. Sunset 6/30/14.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

