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# A BILL FOR AN ACT

RELATING TO EMERGENCY SCHEDULING OF CONTROLLED SUBSTANCES.

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

1 SECTION 1. Section 329-11, Hawaii Revised Statutes, is  
2 amended by amending subsection (e) to read as follows:

3 "(e) The administrator may make an emergency scheduling by  
4 placing a substance into schedule I, II, III, IV, or V on a  
5 temporary basis, if the administrator determines the action is  
6 necessary to address or avoid a current or imminent danger to  
7 the health and safety of the public. In making the  
8 determination of whether to emergency schedule a substance, the  
9 administrator shall assess the degree of danger or probable  
10 danger of the substance by considering the following:

11 (1) The actual or possible abuse of the substance

12 including:

13 (A) Its history and current pattern of abuse;

14 (B) The scope, duration, and significance of abuse;

15 and

16 (C) A judgment of the degree of actual or possible  
17 detriment that may result from the abuse of the  
18 substance; and



1       (2) The risk to public health.  
2       The department shall post a public notice thirty days prior to  
3       the effective date of the emergency scheduling action, at the  
4       state capitol, in the office of the lieutenant governor, and on  
5       the department's website for public inspection. If a substance  
6       is added or rescheduled under this subsection, the control shall  
7       be temporary and, if the next regular session of the state  
8       legislature has not enacted the corresponding changes in this  
9       chapter, the temporary designation of the added or rescheduled  
10      substance shall be nullified."

11           SECTION 2. New statutory material is underscored.

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



**Report Title:**

Emergency Scheduling of Controlled Substances

**Description:**

Sets certain criteria for consideration in determining whether to emergency schedule a substance. Requires the Department of Public Safety to post a public notice thirty days prior to the effective date of the emergency scheduling action, at the State Capitol, in the Office of the Lieutenant Governor, and on the department's website for public inspection. (SB1180 HD1)

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

