





1 department. A license from the department authorizes industrial  
2 hemp production only at a site or sites specified by the  
3 license.

4 (b) A license from the department shall be valid for  
5 twenty-four months from the date of issuance. The license may  
6 be renewed and is not transferable. A person who has been  
7 convicted of a felony offense or a comparable offense in another  
8 jurisdiction shall not be eligible for a license under this  
9 chapter.

10 (c) When applying for a license, an applicant shall  
11 provide the following information to demonstrate that the  
12 applicant intends to grow and is capable of growing industrial  
13 hemp in accordance with this chapter:

- 14 (1) Filing with the department a set of classifiable  
15 fingerprints and written authorization allowing the  
16 department to conduct a criminal records check;
- 17 (2) Filing documentation with the department that  
18 certifies that the seeds obtained for planting are of  
19 a type and variety compliant with the maximum  
20 concentration of tetrahydrocannabinol as prescribed by  
21 this chapter;



1           (3) Filing with the department the location and acreage of  
2           all parcels sown and other field reference information  
3           as may be required by the department; and

4           (4) Any other information required by the department.

5           (d) To qualify for a license under this chapter, an  
6           applicant shall demonstrate the following to the satisfaction of  
7           the department that the applicant has adopted methods to ensure  
8           the legal production of industrial hemp:

9           (1) Ensuring that all parts of the industrial hemp plant  
10           that do not enter the stream of commerce as hemp  
11           products are destroyed, incorporated into the soil, or  
12           otherwise properly disposed;

13           (2) Maintaining records that reflect compliance with this  
14           chapter and with all other state laws related to the  
15           regulation of industrial hemp; and

16           (3) Satisfying any other requirements established by the  
17           department.

18           (e) Every grower shall maintain all production and sales  
19           records for at least three years.

20           (f) Every grower shall allow industrial hemp crops  
21           throughout the sowing, growing, harvesting, storage, and



1 processing of the industrial hemp to be inspected by the  
2 department.

3 § -5 **Revocation and suspension of license; enforcement.**

4 (a) The department may deny, suspend, revoke, or refuse to  
5 renew the license of any grower who:

6 (1) Makes a false statement or misrepresentation on an  
7 application for a license or renewal of a license  
8 under this chapter; or

9 (2) Fails to comply with or violates any provision of this  
10 chapter or any rule adopted thereof.

11 (b) Revocation or suspension of a license may be in  
12 addition to any civil or criminal penalties imposed on a grower  
13 for a violation of any other state law or county ordinance.

14 § -6 **Research and development.** The department shall  
15 promote research and development of markets for industrial hemp  
16 to the extent that any particular research and development  
17 activity is not in violation of federal laws.

18 § -7 **Rulemaking authority.** The department shall adopt  
19 rules pursuant to chapter 91 to implement this chapter,  
20 including rules to require industrial hemp to be tested during  
21 growth for tetrahydrocannabinol concentration levels and to  
22 require adequate supervision of employees during the sowing,



1 growing, harvesting, storage, and processing of industrial  
2 hemp."

3 SECTION 3. Chapter 712, Hawaii Revised Statutes, is  
4 amended by adding a new section to part IV to be appropriately  
5 designated and to read as follows:

6 "§712- Industrial hemp research activities. The  
7 possession, use, sale, or transfer of industrial hemp for  
8 purposes of research and development as provided by law shall  
9 not constitute an offense involving a detrimental drug under  
10 section 712-1247, 712-1248, 712-1249, 712-1251, or 712-1255."

11 SECTION 4. Section 329-1, Hawaii Revised Statutes, is  
12 amended as follows:

13 1. By adding a new definition to be appropriately inserted  
14 and to read:

15 "Industrial hemp" means fiber and seed products derived  
16 from varieties of the cannabis plant that contains no more than  
17 .3 per cent tetrahydrocannabinol, the mature stalks of the  
18 cannabis plant, fiber produced from the stalks of the cannabis  
19 plant, oil or cake derived from the seeds of the plant, and any  
20 other compound, manufacture, salt, derivative, mixture, or  
21 preparation of the mature stalks (except the resin extracted



1 therefrom), fiber, oil, or cake, or the sterilized seed of the  
2 cannabis plant that is incapable of germination."

3 2. By amending the definition of "marijuana" to read:

4 "Marijuana" means all parts of the plant (genus) Cannabis  
5 whether growing or not; the seeds thereof, the resin extracted  
6 from any part of the plant; and every compound, manufacture,  
7 salt, derivative, mixture, or preparation of the plant, its  
8 seeds, or resin. It does not include the mature stalks of the  
9 plant, fiber produced from the stalks, oil, or cake made from  
10 the seeds of the plant, industrial hemp, any other compound,  
11 manufacture, salt, derivative, mixture, or preparation of the  
12 mature stalks (except the resin extracted therefrom), fiber,  
13 oil, or cake, or the sterilized seed of the plant which is  
14 incapable of germination."

15 SECTION 5. Section 712-1240, Hawaii Revised Statutes, is  
16 amended by amending the definition of "marijuana" to read as  
17 follows:

18 "Marijuana" means any part of the plant (genus) cannabis,  
19 whether growing or not, including the seeds and the resin, and  
20 every alkaloid, salt, derivative, preparation, compound, or  
21 mixture of the plant, its seeds or resin, except that, as used  
22 herein, "marijuana" does not include hashish, industrial hemp as



1 defined in section 329-1, tetrahydrocannabinol, and any  
2 alkaloid, salt, derivative, preparation, compound, or mixture,  
3 whether natural or synthesized, of tetrahydrocannabinol."

4 SECTION 6. New statutory material is underscored.

5 SECTION 7. This Act shall take effect upon its approval.

6

INTRODUCED BY: Russell Puder

Kevin Taul

Mark

John M.

Trananne Chun Cleveland

Will Tyro

Janet Blum  
Clarence K. Wickham  
Michelle Sidani





# S.B. NO. 2645

**Report Title:**

Industrial Hemp; Marijuana

**Description:**

Provides the authority, procedures, and licensing related to the production of industrial hemp. Requires the department of agriculture to promote industrial hemp research and development of markets for industrial hemp. Requires the possession, use, sale, or transfer of industrial hemp for research and development purposes to not constitute certain offenses involving a detrimental drug.

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

