

JAN 18 2013

A BILL FOR AN ACT

RELATING TO CONTROLLED SUBSTANCES.

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

1 SECTION 1. The legislature finds that marijuana does not
2 pose the highest degree of danger or probable danger required by
3 the Uniform Controlled Substances Act for designation as a
4 schedule I controlled substance. While it still poses a high
5 degree of danger or probable danger, its accepted medical uses
6 and its safe usage under medical supervision indicate that
7 marijuana would more appropriately be classified as a schedule
8 II controlled substance.

9 The purpose of this Act is to reclassify marijuana from as
10 a hallucinogenic substance listed as a schedule I controlled
11 substance to a hallucinogenic substance listed as a schedule II
12 controlled substance.

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

15 "(d) Any material, compound, mixture, or preparation that
16 contains any quantity of the following hallucinogenic
17 substances, their salts, isomers, and salts of isomers, unless
18 specifically excepted, whenever the existence of these salts,



1 isomers, and salts of isomers is possible within the specific
2 chemical designation:

- 3 (1) Alpha-ethyltryptamine (AET);
- 4 (2) 2,5-dimethoxy-4-ethylamphetamine (DOET);
- 5 (3) 2,5-dimethoxyamphetamine (2,5-DMA);
- 6 (4) 3,4-methylenedioxy amphetamine;
- 7 (5) 3,4-methylenedioxymethamphetamine (MDMA);
- 8 (6) N-hydroxy-3,4-methylenedioxyamphetamine (N-hydroxy-
9 MDA);
- 10 (7) 3,4-methylenedioxy-N-ethylamphetamine (MDE);
- 11 (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 12 (9) 4-bromo-2,5-dimethoxy-amphetamine (4-bromo-2,5-DMA);
- 13 (10) 4-Bromo-2,5-dimethoxyphenethylamine (Nexus);
- 14 (11) 3,4,5-trimethoxy amphetamine;
- 15 (12) Bufotenine;
- 16 (13) 4-methoxyamphetamine (PMA);
- 17 (14) Diethyltryptamine;
- 18 (15) Dimethyltryptamine;
- 19 (16) 4-methyl-2,5-dimethoxy-amphetamine;
- 20 (17) Gamma hydroxybutyrate (GHB) (some other names include
21 gamma hydroxybutyric acid; 4-hydroxybutyrate; 4-



1 hydroxybutanoic acid; sodium oxybate; sodium
2 oxybutyrate);
3 (18) Ibogaine;
4 (19) Lysergic acid diethylamide;
5 [~~(20)~~ Marijuana;
6 ~~(21)~~] (20) Parahexyl;
7 [~~(22)~~] (21) Mescaline;
8 [~~(23)~~] (22) Peyote;
9 [~~(24)~~] (23) N-ethyl-3-piperidyl benzilate;
10 [~~(25)~~] (24) N-methyl-3-piperidyl benzilate;
11 [~~(26)~~] (25) Psilocybin;
12 [~~(27)~~] (26) Psilocyn;
13 [~~(28)~~] (27) 1-[1-(2-Thienyl) cyclohexyl] Pyrrolidine (TCPy);
14 [~~(29)~~] (28) Ethylamine analog of phencyclidine (PCE);
15 [~~(30)~~] (29) Pyrrolidine analog of phencyclidine (PCPy, PHP);
16 [~~(31)~~] (30) Thiophene analog of phencyclidine (TCPy; TCP);
17 [~~(32)~~] (31) Gamma-butyrolactone, including butyrolactone;
18 butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone
19 dihydro; dihydro-2(3H)-furanone; tetrahydro-2-
20 furanone; 1,2-butanolide; 1,4-butanolide; 4-
21 butanolide; gamma-hydroxybutyric acid lactone; 3-
22 hydroxybutyric acid lactone and 4-hydroxybutanoic acid



- 1 lactone with Chemical Abstract Service number 96-48-0
2 when any such substance is intended for human
3 ingestion;
- 4 [~~(33)~~] (32) 1,4 butanediol, including butanediol; butane-1,4-
5 diol; 1,4- butylenes glycol; butylene glycol; 1,4-
6 dihydroxybutane; 1,4- tetramethylene glycol;
7 tetramethylene glycol; tetramethylene 1,4- diol with
8 Chemical Abstract Service number 110-63-4 when any
9 such substance is intended for human ingestion;
- 10 [~~(34)~~] (33) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-
11 T-7), its optical isomers, salts, and salts of
12 isomers;
- 13 [~~(35)~~] (34) N-benzylpiperazine (BZP; 1-benzylpiperazine) its
14 optical isomers, salts, and salts of isomers;
- 15 [~~(36)~~] (35) 1-(3-trifluoromethylphenyl)piperazine (TFMPP),
16 its optical isomers, salts, and salts of isomers;
- 17 [~~(37)~~] (36) Alpha-methyltryptamine (AMT), its isomers, salts,
18 and salts of isomers;
- 19 [~~(38)~~] (37) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT),
20 its isomers, salts, and salts of isomers;
- 21 [~~(39)~~] (38) Salvia divinorum;
- 22 [~~(40)~~] (39) Salvinorin A;



1 [~~(41)~~] (40) Divinorin A; and
 2 [~~(42)~~] (41) 5-Methoxy-N,N-Dimethyltryptamine (5-MeO-DIPT)
 3 (some trade or other names: 5-methoxy-3-[2-
 4 (dimethylamino)ethyl]indole; 5-MeO-DMT)."

5 SECTION 3. Section 329-16, Hawaii Revised Statutes, is
 6 amended by amending subsection (g) to read as follows:

7 "(g) Hallucinogenic substances, unless listed in another
 8 schedule, shall include:

- 9 (1) Nabilone~~[]~~; and
 10 (2) Marijuana."

11 SECTION 4. This Act does not affect rights and duties that
 12 matured, penalties that were incurred, and proceedings that were
 13 begun before its effective date.

14 SECTION 5. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 6. This Act shall take effect upon its approval.

17

INTRODUCED BY: Will Espero

Randy H. Poole
James M. Slon
Rosa B.

Report Title:

Controlled Substances; Marijuana

Description:

Reclassifies marijuana from a schedule I to a schedule II controlled substance.

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

