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# A BILL FOR AN ACT

RELATING TO MARIJUANA.

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

1           SECTION 1. The legislature finds that the regulation of  
2 medical marijuana is of paramount importance to the health and  
3 welfare of our citizens. The legislature further finds that Act  
4 228, Session Laws of Hawaii 2000, was enacted to provide medical  
5 relief for seriously ill individuals in the State. More  
6 specifically, that Act protects the health and well-being of  
7 Hawaii residents by regulating the manner in which qualifying  
8 medical marijuana patients may cultivate, possess, use, and  
9 otherwise utilize the substance.

10           Because the State did not provide a legal way for  
11 individuals to obtain medical marijuana other than by growing  
12 the product themselves or receiving it from authorized  
13 caregivers, Act 241, Session Laws of Hawaii 2015, was enacted to  
14 establish a system of medical marijuana dispensaries and  
15 authorize the cultivation, manufacturing, and retail sale of  
16 this product.



1           The Legislature asserts that continuing to allow qualifying  
2 medical marijuana patients to grow marijuana at home will  
3 undermine the dispensary system created through Act 241, Session  
4 Laws of Hawaii 2015, by obstructing the ability of the State to  
5 adequately monitor the distribution of this product.

6           Accordingly, the purpose of this Act is to prohibit  
7 qualifying medical marijuana patients from growing their own  
8 medical marijuana commencing July 1, 2017, so that they will be  
9 required to obtain medical marijuana solely through a state-  
10 licensed dispensary. The legislature declares that in light of  
11 Act 241, Session Laws of Hawaii 2015, the provisions allowing  
12 qualifying medical marijuana patients to grow their own medical  
13 marijuana no longer serve a legitimate purpose commencing  
14 July 1, 2017, since those patients will have access to medical  
15 marijuana through state-authorized dispensaries.

16           SECTION 2. Section 329D-24, Hawaii Revised Statutes, is  
17 amended to read as follows:

18           " [†]§329D-24[†]   Cultivation of medical marijuana by  
19 qualifying patients and primary caregivers. Nothing in this  
20 chapter shall be construed as prohibiting a qualifying patient  
21 or primary caregiver from [~~cultivating or~~] possessing an



1 adequate supply of medical marijuana pursuant to part IX of  
2 chapter 329."

3 SECTION 3. Section 329-130, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) [~~After December 31, 2018, a~~] A qualifying patient  
6 shall obtain medical marijuana or manufactured marijuana  
7 products only[+

8 ~~(1) From]~~ from a dispensary licensed pursuant to chapter  
9 329D; provided that the marijuana shall be purchased  
10 and paid for at the time of purchase[ ~~or~~

11 ~~(2) By cultivating marijuana in an amount that does not~~  
12 ~~exceed an adequate supply for the qualifying patient,~~  
13 ~~pursuant to section 329-122.~~


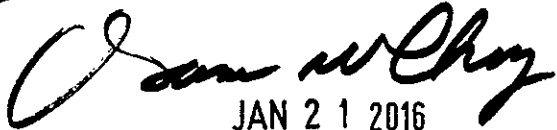
14 ~~After December 31, 2018, no primary caregiver shall be~~  
15 ~~authorized to cultivate marijuana for any qualifying patient]."~~

16 SECTION 4. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 5. This Act shall take effect on July 1, 2017.

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INTRODUCED BY:

  
  
JAN 21 2016



# H.B. NO. 1680

**Report Title:**

Medical Marijuana; Cultivation; Prohibited Except by Licensees

**Description:**

Prohibits cultivation of medical marijuana by anyone not licensed by the State after 7/1/17.

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

