
A BILL FOR AN ACT

RELATING TO CONTROLLED SUBSTANCES.

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

1 SECTION 1. Section 329-1, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By adding two new definitions to be appropriately
4 inserted and to read:

5 "Hashish" means a resinous substance of cannabis that
6 includes:

7 (1) One or more of the tetrahydrocannabinols listed in
8 section 329-14(g)(1);

9 (2) At least two of the following: cannabinol,
10 cannabidiol, or cannabichromene; and

11 (3) Fragments of plant material, such as cystolith fibers.

12 "Marijuana concentrate" shall have the same meaning as in
13 section 712-1240."

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

15 "Marijuana" means all parts of the plant (genus) Cannabis
16 whether growing or not; the seeds thereof, the resin extracted
17 from any part of the plant; and every compound, manufacture,



1 salt, derivative, mixture, or preparation of the plant, its
2 seeds, or resin. It does not include the mature stalks of the
3 plant, fiber produced from the stalks, oil, or cake made from
4 the seeds of the plant, any other compound, manufacture, salt,
5 derivative, mixture, or preparation of the mature stalks
6 [~~except the resin extracted therefrom~~], fiber, oil, or cake,
7 [~~or~~] the sterilized seed of the plant which is incapable of
8 germination[-], or hashish, tetrahydrocannabinol, and any
9 alkaloid, salt, derivative, preparation, compound, or mixture,
10 whether natural or synthesized, of tetrahydrocannabinol."

11 SECTION 2. Section 329-121, Hawaii Revised Statutes, is
12 amended by amending the definitions of "marijuana" and "useable
13 marijuana" to read as follows:

14 "Marijuana" shall have the same meaning as [~~"marijuana"~~
15 ~~and "marijuana concentrate" as provided in sections~~] in section
16 329-1 [and 712-1240].

17 "Usable marijuana" means the dried leaves and flowers of
18 the plant (genus) Cannabis [~~family Moraceae, and any mixture or~~
19 ~~preparation thereof,~~] that are appropriate for the medical use
20 of marijuana. "Usable marijuana" does not include the seeds,
21 stalks, and roots of the plant[-], or hashish,



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

4 SECTION 3. Section 712-1240, Hawaii Revised Statutes, is
 5 amended by adding a new definition to be appropriately inserted
 6 and to read as follows:

7 "Hashish" has the same meaning as in section 329-1."

8 SECTION 4. This Act does not affect rights and duties that
 9 matured, penalties that were incurred, and proceedings that were
 10 begun before its effective date.

11 SECTION 5. Statutory material to be repealed is bracketed
 12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect on July 1, 2016.

14

INTRODUCED BY



By Request

JAN 22 2016



H.B. NO. 1833

Report Title:

Controlled Substances; Marijuana; Hashish

Description:

Excludes hashish, tetrahydrocannabinol (THC), and THC derivatives from the definition of "marijuana" as used in the Uniform Controlled Substances Act and from the definitions of "marijuana" and "usable marijuana" as used in the medical marijuana law. Defines "hashish" and "marijuana concentrate" in the Uniform Controlled Substances Act. Defines "hashish" for purposes of offenses related to drugs and intoxicating compounds.

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