
A BILL FOR AN ACT

RELATING TO MEDICAL MARIJUANA.

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

1 SECTION 1. The purpose of this Act is to clarify that:

2 (1) Qualifying patients and their primary caregivers shall
3 not be subject to a background check in order to enter
4 the premises of a medical marijuana retail dispensing
5 location; and

6 (2) Government officials and employees acting in their
7 official capacities shall not be subject to background
8 checks to enter the premises of a medical marijuana
9 retail dispensing location or production center.

10 SECTION 2. Section 329D-12, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "[~~§~~§329D-12~~]~~ **Background checks.** (a) Each applicant
13 and licensee for a medical marijuana dispensary license,
14 including the individual applicant and all officers, directors,
15 shareholders with at least twenty-five per cent ownership
16 interest or more, members, and managers of an entity applicant;
17 each employee of a medical marijuana dispensary; each



1 subcontracted production center and retail dispensing location
2 employee; all officers, directors, shareholders with at least
3 twenty-five per cent ownership interest or more in a
4 subcontracted production center or retail dispensing location;
5 and any person permitted to enter and remain in dispensary
6 facilities pursuant to section 329D-15(a)(4) or 329D-16(a)(3),
7 shall be subject to background checks conducted by the
8 department or its designee, including but not limited to
9 criminal history record checks in accordance with section 846-
10 2.7. The person undergoing the background check shall provide
11 written consent and all applicable processing fees to the
12 department or its designee to conduct the background checks.

13 (b) This section shall not apply to:

14 (1) Qualifying patients and their primary caregivers who
15 enter or remain on the premises of a medical marijuana
16 retail dispensing location for the purpose of a
17 transaction conducted pursuant to sections 329D-6 and
18 329D-13; or

19 (2) Government officials and employees acting in an
20 official capacity who enter or remain on the premises
21 of a medical marijuana retail dispensing location or



1 production center for any purpose authorized by this
2 chapter."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.
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H.B. NO. 2708

Report Title:

Medical Marijuana; Retail Dispensary Locations; Production Centers; Background Checks; Exemptions

Description:

Clarifies that qualifying patients and primary caregivers, and government officials and employees, shall not be subject to background checks to enter or remain on the premises of certain medical marijuana facilities for an authorized purpose.

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