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# A BILL FOR AN ACT

RELATING TO THE SCHEDULING OF MARIJUANA.

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

1           SECTION 1. The legislature finds that the medical use of  
2 marijuana has existed in the State since 2000 when Hawaii became  
3 the first state to accept the medical use of marijuana by the  
4 legislative process. However, despite fourteen years of medical  
5 use by thousands of patients in the State, marijuana still  
6 remains in schedule I, while coca and poppy, plants that contain  
7 substances far more dangerous than any substance found in  
8 marijuana, are listed in schedule II.

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 as follows:

15           1. By amending subsection (d) to read:

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



1 specifically excepted, whenever the existence of these salts,  
2 isomers, and salts of isomers is possible within the specific  
3 chemical designation:

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



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



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



- 1        [~~(38)~~] (37) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-  
2                    DIPT), its isomers, salts, and salts of isomers;  
3        [~~(39)~~] (38) Salvia divinorum;  
4        [~~(40)~~] (39) Salvinorin A;  
5        [~~(41)~~] (40) Divinorin A;  
6        [~~(42)~~] (41) 5-Methoxy-N,N-Dimethyltryptamine (5-MeO-DIPT)  
7                    (some trade or other names: 5-methoxy-3-[2-  
8                    (dimethylamino)ethyl]indole; 5-MeO-DMT);  
9        [~~(43)~~] (42) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine  
10                    (2C-E);  
11        [~~(44)~~] (43) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine  
12                    (2C-D);  
13        [~~(45)~~] (44) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine  
14                    (2C-C);  
15        [~~(46)~~] (45) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);  
16        [~~(47)~~] (46) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine  
17                    (2C-T-2);  
18        [~~(48)~~] (47) 2-[4-(Isopropylthio)-2,5-  
19                    dimethoxyphenyl]ethanamine (2C-T-4);  
20        [~~(49)~~] (48) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);



- 1        [~~(50)~~] (49)    2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine
- 2                            (2C-N);
- 3        [~~(51)~~] (50)    2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine
- 4                            (2C-P);
- 5        [~~(52)~~] (51)    2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-
- 6                            methoxybenzyl)ethanamine, its optical, positional, and
- 7                            geometric isomers, salts, and salts of isomers (Other
- 8                            names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5);
- 9        [~~(53)~~] (52)    2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-
- 10                            methoxybenzyl)ethanamine, its optical, positional, and
- 11                            geometric isomers, salts, and salts of isomers (Other
- 12                            names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82); and
- 13        [~~(54)~~] (53)    2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-
- 14                            methoxybenzyl)ethanamine, its optical, positional, and
- 15                            geometric isomers, salts, and salts of isomers (Other
- 16                            names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36)."

2. By amending subsection (g) to read:

"(g) Any of the following cannabinoids, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:



1       ~~[(1) Tetrahydrocannabinols; meaning tetrahydrocannabinols~~  
2       ~~naturally contained in a plant of the genus Cannabis~~  
3       ~~(cannabis plant), as well as synthetic equivalents of~~  
4       ~~the substances contained in the plant, or in the~~  
5       ~~resinous extractives of Cannabis, sp. or synthetic~~  
6       ~~substances, derivatives, and their isomers with~~  
7       ~~similar chemical structure and pharmacological~~  
8       ~~activity to those substances contained in the plant,~~  
9       ~~such as the following: Delta 1 cis or trans~~  
10       ~~tetrahydrocannabinol, and their optical isomers; Delta~~  
11       ~~6 cis or trans tetrahydrocannabinol, and their optical~~  
12       ~~isomers; and Delta 3,4 cis or trans~~  
13       ~~tetrahydrocannabinol, and its optical isomers (since~~  
14       ~~nomenclature of these substances is not~~  
15       ~~internationally standardized, compounds of these~~  
16       ~~structures, regardless of numerical designation of~~  
17       ~~atomic positions, are covered);~~  
18       (2)] (1) Naphthoylindoles; meaning any compound containing  
19       a 3-(1-naphthoyl) indole structure with substitution  
20       at the nitrogen atom of the indole ring by a alkyl,  
21       haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,



1 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)  
2 ethyl group, whether or not further substituted in the  
3 indole ring to any extent and whether or not  
4 substituted in the naphthyl ring to any extent;

5 [~~3~~] (2) Naphthylmethylindoles; meaning any compound  
6 containing a 1H-indol-3-yl-(1-naphthyl) methane  
7 structure with substitution at the nitrogen atom of  
8 the indole ring by a alkyl, haloalkyl, alkenyl,  
9 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-  
10 piperidinyl) methyl or 2-(4-morpholinyl) ethyl group  
11 whether or not further substituted in the indole ring  
12 to any extent and whether or not substituted in the  
13 naphthyl ring to any extent;

14 [~~4~~] (3) Naphthoylpyrroles; meaning any compound  
15 containing a 3-(1-naphthoyl) pyrrole structure with  
16 substitution at the nitrogen atom of the pyrrole ring  
17 by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
18 cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or  
19 2-(4-morpholinyl) ethyl group whether or not further  
20 substituted in the pyrrole ring to any extent, whether  
21 or not substituted in the naphthyl ring to any extent;





- 1        [~~5~~] (4) Naphthylmethylindenes; meaning any compound  
2            containing a naphthylideneindene structure with  
3            substitution at the 3-position of the indene ring by a  
4            alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
5            cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or  
6            2-(4-morpholinyl) ethyl group whether or not further  
7            substituted in the indene ring to any extent, whether  
8            or not substituted in the naphthyl ring to any extent;
- 9        [~~6~~] (5) Phenylacetylindoles; meaning any compound  
10           containing a 3-phenylacetylindole structure with  
11           substitution at the nitrogen atom of the indole ring  
12           by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
13           cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or  
14           2-(4-morpholinyl) ethyl group whether or not further  
15           substituted in the indole ring to any extent, whether  
16           or not substituted in the phenyl ring to any extent;
- 17        [~~7~~] (6) Cyclohexylphenols; meaning any compound  
18           containing a 2-(3-hydroxycyclohexyl) phenol structure  
19           with substitution at the 5-position of the phenolic  
20           ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,  
21           cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or



- 1 2-(4-morpholinyl) ethyl group whether or not  
2 substituted in the cyclohexyl ring to any extent;
- 3 ~~[(8)]~~ (7) Benzoylindoles; meaning any compound containing a  
4 3-(benzoyl) indole structure with substitution at the  
5 nitrogen atom of the indole ring by a alkyl,  
6 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,  
7 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl)  
8 ethyl group whether or not further substituted in the  
9 indole ring to any extent and whether or not  
10 substituted in the phenyl ring to any extent;
- 11 ~~[(9)]~~ (8) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)  
12 pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-  
13 naphthalenylmethanone (another trade name is WIN  
14 55,212-2);
- 15 ~~[(10)]~~ (9) (6a,10a)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-  
16 methyloctan-2-yl)-6a,7,10,10a-  
17 tetrahydrobenzo[c]chromen-1-ol (other trade names are:  
18 HU-210 and HU-211);
- 19 ~~[(11)]~~ (10) Tetramethylcyclopropanoylindoles; meaning any  
20 compound containing a 3-  
21 tetramethylcyclopropanoylindole structure with



1 substitution at the nitrogen atom of the indole ring  
2 by an alkyl, haloalkyl, cyanoalkyl, alkenyl,  
3 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-  
4 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-  
5 methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-  
6 morpholinyl)methyl, or tetrahydropyranylmethyl group,  
7 whether or not further substituted in the indole ring  
8 to any extent and whether or not substituted in the  
9 tetramethylcyclopropyl ring to any extent;

10 [~~(12)~~] (11) N-(1-adamantyl)-1-pentyl-1H-indazole-3-

11 carboxamide, its optical, positional, and geometric  
12 isomers, salts, and salts of isomers (Other names:  
13 APINACA, AKB48);

14 [~~(13)~~] (12) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate,

15 its optical, positional, and geometric isomers, salts,  
16 and salts of isomers (Other names: PB-22; QUPIC);

17 [~~(14)~~] (13) Quinolin-8-yl 1-(5fluoropentyl)-1H-indole-3-

18 carboxylate, its optical, positional, and geometric  
19 isomers, salts, and salts of isomers (Other names:  
20 5-fluoro-PB-22; 5F-PB-22);



1        [~~(15)~~] (14)    N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-  
2                            fluorobenzyl)-1H-indazole-3-carboxamide, its optical,  
3                            positional, and geometric isomers, salts, and salts of  
4                            isomers (Other names: AB-FUBINACA); and

5        [~~(16)~~] (15)    N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-  
6                            pentyl-1H-indazole-3-carboxamide, its optical,  
7                            positional, and geometric isomers, salts, and salts of  
8                            isomers (Other names: ADB-PINACA)."

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

11            "(g) Hallucinogenic substances, unless listed in another  
12 schedule, shall include:

- 13            (1) Nabilone [~~-~~]; and
- 14            (2) Marijuana."

15            SECTION 4. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun before its effective date.

18            SECTION 5. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20            SECTION 6. This Act shall take effect on July 1, 2050.

21

**Report Title:**

Marijuana; Rescheduling

**Description:**

Reclassifies marijuana from a schedule I to a schedule II controlled substance. Effective 7/1/2050. (SD1)

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

