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# A BILL FOR AN ACT

RELATING TO MEDICAL MARIJUANA.

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

1 SECTION 1. Section 329D-1, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4 "Enclosed indoor facility" means a permanent, stationary  
5 structure with a:

6 (1) Solid floor; and

7 (2) Rigid exterior including:

8 (A) Walls that encircle the structure on all sides;

9 and

10 (B) A roof attached to the walls;

11 that prevent the interior from being seen from outside

12 the structure,

13 provided that an enclosed indoor facility excludes a greenhouse

14 or shade house that does not comply with these requirements."

15 SECTION 2. Section 329D-1, Hawaii Revised Statutes, is  
16 amended by adding three new definitions to be appropriately  
17 inserted and to read as follows:



1        "Enclosed indoor facility" means a permanent, stationary  
2 structure with a:

3        (1) Solid floor; and

4        (2) Rigid exterior including:

5            (A) Walls that encircle the structure on all sides;  
6                    and

7            (B) A roof attached to the walls;

8            that prevent the interior from being seen from outside  
9            the structure.

10        "Greenhouse" means a permanent, stationary structure having  
11 walls and a roof that are transparent or translucent, for the  
12 cultivation of plants within the structure under controlled  
13 conditions.

14        "Shade house" means a temporary or permanent structure that  
15 includes a rigid frame over which cloth, lattice, or screen is  
16 placed to create shade for the cultivation of plants within the  
17 structure."

18        SECTION 3. Section 329D-6, Hawaii Revised Statutes, is  
19 amended by amending subsection (f) to read as follows:

20        "(f) All dispensary facilities, including but not limited  
21 to production centers and retail dispensing locations, [~~shall be~~



1 ~~enclosed indoor facilities and]~~ shall maintain twenty-four hour  
2 security measures, including but not limited to an alarm system,  
3 video monitoring and recording on the premises, and exterior  
4 lighting. Production centers licensed on or after October 1,  
5 2017, may include greenhouses or shade houses; provided that all  
6 production center facilities shall [~~remain locked at all times.~~]  
7 be secured at all times. Retail dispensing locations shall be  
8 enclosed indoor facilities and remain locked at all times, other  
9 than business hours as authorized by subsection (e), and shall  
10 only be opened for authorized persons."

11 SECTION 4. This Act shall not affect the medical marijuana  
12 dispensary selection process to be completed and announced by  
13 April 15, 2016, pursuant to section 329D-5(b), Hawaii Revised  
14 Statutes.

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

17 SECTION 6. This Act shall take effect on July 1, 2112;  
18 provided that section 1 shall be repealed on September 30, 2017;  
19 provided further that sections 2 and 3 shall take effect on  
20 October 1, 2017.



**Report Title:**

Medical Marijuana; Dispensary Operations

**Description:**

Repeals the requirement that medical marijuana dispensary facilities, except retail dispensing locations, be enclosed indoor facilities, and allows medical marijuana production centers licensed after 10/1/2017, to include secured greenhouses or shade houses. Effective 7/1/2112. (HD1)

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

