
A BILL FOR AN ACT

RELATING TO MEDICAL MARIJUANA.

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

1 SECTION 1. Section 329-122, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) The authorization for the medical use of marijuana in
4 this section shall not apply to:

5 (1) The medical use of marijuana that endangers the health
6 or well-being of another person;

7 (2) The medical use of marijuana:

8 (A) In a school bus, public bus, or any moving
9 vehicle;

10 (B) In the workplace of one's employment;

11 (C) On any school grounds;

12 (D) At any public park, public beach, public
13 recreation center, recreation or youth center; or

14 (E) ~~[Other]~~ Any other place open to the public;
15 provided that a qualifying patient, parent,
16 primary caregiver, or an owner or employee of a
17 medical marijuana production center or dispensary
18 licensed under sections 321-B and 321-C shall not



1 be prohibited from transporting medical marijuana
2 in any public place; and

3 (3) The use of marijuana by a qualifying patient, parent,
4 or primary caregiver for purposes other than medical
5 use permitted by this part."

6 SECTION 2. Section 329-123, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) Physicians who issue written certifications shall
9 provide, in each written certification, the name, address,
10 patient identification number, and other identifying information
11 of the qualifying patient. The department of health shall
12 require, in rules adopted pursuant to chapter 91, that all
13 written certifications comply with a designated form completed
14 by or on behalf of a qualifying patient. The form shall require
15 information from the applicant, primary caregiver, and [~~primary~~
16 ~~care~~] physician as specifically required or permitted by this
17 chapter. The form shall require the address of the location
18 where the marijuana is grown and shall appear on the registry
19 card issued by the department of health. [~~The certifying~~
20 ~~physician shall be required to be the qualifying patient's~~



1 ~~primary care physician.]~~ All current active medical marijuana
2 permits shall be honored through their expiration date."

3 SECTION 3. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 4. In codifying the amendments made to section
7 329-122(c), Hawaii Revised Statutes, in section 1 of this Act,
8 the revisor of statutes shall substitute appropriate section
9 numbers for the letters used in designating the new sections
10 321-B and 321-C, Hawaii Revised Statutes, pursuant to S.B. No.
11 1302, in any form passed by the legislature during the regular
12 session of 2015.

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2050,
16 only if S.B. 1302, in any form passed by the legislature during
17 the regular session of 2015, becomes an Act.



Report Title:

Medical Marijuana; Patients and Caregivers; Protections;
Certifying Physician

Description:

Allows a qualifying patient, parent, primary caregiver, or an owner or employee of a medical marijuana production center or dispensary to transport medical marijuana in any public place. Repeals the requirement that a certifying physician be the qualifying patient's primary care physician. Effective 7/1/2050 and contingent upon passage of S.B. No. 1302 (2015). (Proposed SD2)

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

