
A BILL FOR AN ACT

RELATING TO MARIJUANA.

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

1 SECTION 1. The legislature finds that current laws do not
2 fully protect the rights of medical marijuana patients and their
3 primary caregivers. Patients and primary caregivers are
4 prohibited from transporting marijuana between islands, although
5 patients may need to transport marijuana between islands for
6 medical use upon arriving on a different island.

7 The legislature further finds that compassionate and
8 reasonable regulation of medical marijuana is necessary to
9 ensure that people with debilitating medical conditions have
10 access to their marijuana.

11 SECTION 2. Chapter 261, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§261- Interisland transportation of marijuana; rules.
15 The department may adopt rules, pursuant to chapter 91,
16 regarding the interisland transportation of marijuana, usable
17 marijuana, or any manufactured marijuana product. For purposes



1 of this section, "marijuana" and "usable marijuana" shall be as
2 defined in section 329-121."

3 SECTION 3. Chapter 329, Hawaii Revised Statutes, is
4 amended by adding a new section to part IX to be appropriately
5 designated and to read as follows:

6 "§329-_____ Interisland transportation of marijuana by a
7 qualified patient or primary caregiver. In addition to the
8 transport permitted under section 329-122, a qualifying patient
9 or primary caregiver may transport marijuana or manufactured
10 marijuana products between the islands of the State, in a manner
11 and amount prescribed by rules adopted pursuant to chapter 91
12 by:

13 (1) The department; and

14 (2) The department of transportation under section
15 261-_____,

16 and with the understanding that state law and its protections do
17 not apply outside of the jurisdictional limits of the State."

18 SECTION 4. Section 329-122, Hawaii Revised Statutes, is
19 amended by amending subsection (d) to read as follows:



1 "(d). For the purposes of this section, "transport" means
2 the transportation of marijuana, usable marijuana, or any
3 manufactured marijuana product between:

4 (1) A qualifying patient and the qualifying patient's
5 primary caregiver;

6 (2) The production centers and the retail dispensing
7 locations under a dispensary licensee's license; or

8 (3) A production center or retail dispensing location and
9 a certified laboratory for the purpose of laboratory
10 testing;

11 provided that "transport" [~~does not include~~] includes the
12 interisland transportation of marijuana, usable marijuana, or
13 any manufactured marijuana product [~~, except~~] only when the
14 transportation is performed for the sole purpose of laboratory
15 testing pursuant to section 329D-8, as permitted under section
16 329D-6(m) and subject to section 329D-6(j), or in accordance
17 with section 329-___, and with the understanding that state law
18 and its protections do not apply outside of the jurisdictional
19 limits of the State."

20 SECTION 5. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect on July 1, 2090.



Report Title:

Marijuana; Interisland Transportation

Description:

Authorizes the interisland transportation of marijuana by medicinal marijuana patients and primary caregivers. Requires Departments of Health and Transportation to adopt rules according to chapter 91 regarding interisland transportation of marijuana. (HB836 HD1)

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

