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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 328-1, Hawaii Revised Statutes, is  
2 amended by amending the definition of "food" to read as follows:

3           "Food" means:

4           (1) Articles used for food or drink by humans, dogs, or  
5           cats;

6           (2) Chewing gum; or

7           (3) Articles used for components of any such article.

8           "Food" does not include edible cannabis products, as defined in  
9 section 329D-10."

10          SECTION 2. Section 329-121, Hawaii Revised Statutes, is  
11 amended by amending the definition of "adequate supply" to read  
12 as follows:

13          " Adequate supply" means an amount of marijuana jointly  
14 possessed between the qualifying patient and the primary  
15 caregiver that is not more than is reasonably necessary to  
16 ensure the uninterrupted availability of marijuana for the  
17 purpose of alleviating the symptoms or effects of a qualifying  
18 patient's debilitating medical condition; provided that an



1 "adequate supply" shall not exceed: seven marijuana plants,  
2 whether immature or mature, seven marijuana seedlings, and four  
3 ounces of usable marijuana at any given time. The four ounces  
4 of usable marijuana shall include any combination of usable  
5 marijuana and manufactured marijuana products, as provided in  
6 chapter 329D, with the marijuana in the manufactured marijuana  
7 products being calculated using information provided pursuant to  
8 section 329D-9(c). For the purposes of this definition, "plant"  
9 means a marijuana plant that is at least twelve vertical inches  
10 in height from where the base of the stalk emerges from the  
11 growth medium to the tallest point of the plant, or at least  
12 twelve horizontal inches in width from the end of one branch to  
13 the end of another branch; provided that multiple stalks  
14 emanating from the same root ball or root system shall be  
15 considered part of the same single plant. For the purposes of  
16 this definition, "seedling" means a marijuana plant that is less  
17 than twelve vertical inches in height from where the base of the  
18 stalk emerges from the growth medium to the tallest point, or  
19 less than twelve horizontal inches in width from the end of one  
20 branch to the end of another branch."



1 SECTION 3. Section 329-130, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) After December 31, 2018, a qualifying patient shall  
4 obtain medical marijuana or manufactured marijuana products  
5 only:

6 (1) From a dispensary licensed pursuant to chapter 329D;  
7 provided that the marijuana shall be purchased and  
8 paid for at the time of purchase; or

9 (2) By cultivating marijuana in an amount that does not  
10 exceed an adequate supply for the qualifying patient,  
11 pursuant to section 329-122.

12 After December 31, [~~2018~~,] 2020, no primary caregiver shall be  
13 authorized to cultivate marijuana for any qualifying patient."

14 SECTION 4. Section 329D-9, Hawaii Revised Statutes, is  
15 amended by amending subsection (b) to read as follows:

16 "(b) The department shall establish health, safety, and  
17 sanitation standards regarding the manufacture of manufactured  
18 marijuana products [-]; provided that any area within a  
19 dispensary or production center where marijuana will be  
20 manufactured into an edible cannabis product as defined in



1 section 329D-10 shall comply with the food safety code adopted  
2 by the department."

3 SECTION 5. Section 329D-10, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "**§329D-10 Types of manufactured marijuana products.** (a)

6 The types of medical marijuana products that may be manufactured  
7 and distributed pursuant to this chapter shall be limited to:

- 8 (1) Capsules;
- 9 (2) Lozenges;
- 10 (3) Pills;
- 11 (4) Oils and oil extracts;
- 12 (5) Tinctures;
- 13 (6) Ointments and skin lotions;
- 14 (7) Transdermal patches;
- 15 (8) Pre-filled and sealed containers used to aerosolize  
16 and deliver marijuana orally, such as with an inhaler  
17 or nebulizer; [and]

18 (9) Edible cannabis products; and

19 [~~9~~] (10) Other products as specified by the department.

20 (b) As used in this section [~~7~~ "lozenge"]:



- 1        (1) "Edible cannabis products" means manufactured cannabis  
2        that is intended to be used, in whole or in part, for  
3        human consumption, including but not limited to  
4        chewing gum; provided that edible cannabis products:  
5        (A) Shall be manufactured in a certified kitchen  
6        within a production center using marijuana grown  
7        in a production center;  
8        (B) Shall be tested and specifically labeled for each  
9        product's dosage and strength;  
10       (C) Shall not include products such as gummies,  
11       brightly colored candies, or other products that  
12       may attract children or bear resemblance to other  
13       commercially available products; and  
14       (D) May include liquid products that contain no more  
15       than ten milligrams of activated  
16       tetrahydrocannabinol per serving; and  
17       (2) "Lozenge" means a small tablet manufactured in a  
18       manner to allow for the dissolving of its medicinal or  
19       therapeutic component slowly in the mouth."



1 SECTION 6. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 7. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 8. This Act shall take effect on July 1, 2050;  
7 provided that sections 1, 4, and 5 shall take effect on July 1,  
8 2018.

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**Report Title:**

Medical Marijuana; Plant; Seedling; Primary Caregivers; Edible Cannabis Products

**Description:**

Clarifies that an adequate supply of medical marijuana authorized for possession by a qualifying patient and the primary caregiver includes seven marijuana plants that are at least twelve inches in height or width, and seven marijuana seedlings that are less than twelve inches in height and width. Authorizes primary caregivers to continue cultivating marijuana for qualifying patients until December 31, 2020. Defines edible cannabis products as manufactured cannabis that is intended to be used, in whole or in part, for human consumption and provides manufacturing requirements for edible cannabis products. Authorizes licensed medical marijuana dispensaries to manufacture and distribute edible cannabis products beginning July 1, 2018. 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.*

