
A BILL FOR AN ACT

RELATING TO HEMP.

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

1 SECTION 1. The legislature recognizes that the recently-
2 enacted Agriculture Improvement Act of 2018, informally known as
3 the "Farm Bill", among other matters, legalized hemp by removing
4 hemp from the definition of "marihuana" contained in the federal
5 Controlled Substances Act. Therefore, hemp is no longer
6 classified as an illegal drug under federal law. The
7 Agriculture Improvement Act also makes amendments to the
8 Agricultural Marketing Act of 1946. These amendments authorize
9 the department of agriculture of each state to submit to the
10 federal Secretary of Agriculture a proposed plan for the state's
11 department of agriculture to monitor and regulate hemp
12 production within the state. After the federal Secretary of
13 Agriculture approves a state plan, authorized entities within
14 the respective state may engage in the production of hemp,
15 including at the commercial level.

16 The legislature finds that the University of Hawaii's
17 research on hemp shows that there is significant potential for a



1 successful hemp agricultural industry in Hawaii. In addition to
2 creating new agricultural commerce, hemp is also beneficial in
3 removing toxins from the soil (phytoremediation), which is
4 important because past agricultural operations in the State have
5 deposited toxins in vast tracts of land. Hemp grows quickly and
6 is a superior phytoremediation crop. The legislature also finds
7 that hemp is an environmentally-friendly and efficient feedstock
8 for biofuel. Hemp can be made into clothing and used in other
9 products to promote the growth of small businesses.

10 The legislature also finds that although the State has
11 authorized the limited production of hemp through its industrial
12 hemp pilot program, progress in that program has been stalled by
13 the rules, policies, and practices of the state department of
14 agriculture, which have been far more onerous than even the
15 requirements established under previous federal law.

16 The purpose of this Act is to facilitate the regulation and
17 production of hemp by:

18 (1) Amending definitions of "marijuana" in state law to
19 clarify that hemp is not marijuana;



- 1 (2) Allowing licensees under the industrial hemp pilot
2 project to utilize hemp genetics, from any state, that
3 meet federal definitions of hemp;
- 4 (3) Requiring the chairperson of the board of agriculture
5 to prepare and submit a proposed state plan to monitor
6 and regulate hemp production, including commercial
7 production and research, to the federal Secretary of
8 Agriculture pursuant to section 297B of the
9 Agricultural Marketing Act of 1946, as amended;
- 10 (4) Requiring the chairperson of the board of agriculture
11 to submit a report to the governor, speaker of the
12 house of representatives, and senate president on the
13 status of the federal Secretary of Agriculture's
14 pending approval of the state plan; and
- 15 (5) Authorizing the department of agriculture to monitor
16 and regulate hemp production, including commercial
17 production and research, pursuant to section 297B of
18 the Agricultural Marketing Act of 1946, as amended.

19 SECTION 2. Section 141-1, Hawaii Revised Statutes, is
20 amended to read as follows:



1 **"§141-1 Duties in general.** The department of agriculture
2 shall:

3 (1) Gather, compile, and tabulate, from time to time,
4 information and statistics concerning:

5 (A) Entomology and plant pathology: Insects, scales,
6 blights, and diseases injurious or liable to
7 become injurious to trees, plants, or other
8 vegetation, and the ways and means of
9 exterminating pests and diseases already in the
10 State and preventing the introduction of pests
11 and diseases not yet here; and

12 (B) General agriculture: Fruits, fibres, and useful
13 or ornamental plants and their introduction,
14 development, care, and manufacture or
15 exportation, with a view to introducing,
16 establishing, and fostering new and valuable
17 plants and industries;

18 (2) Encourage and cooperate with the agricultural
19 extension service and agricultural experiment station
20 of the University of Hawaii and all private persons
21 and organizations doing work of an experimental or



1 educational character coming within the scope of the
2 subject matter of chapters 141, 142, and 144 to 150A,
3 and avoid, as far as practicable, duplicating the work
4 of those persons and organizations;

- 5 (3) Enter into contracts, cooperative agreements, or other
6 transactions with any person, agency, or organization,
7 public or private, as may be necessary in the conduct
8 of the department's business and on such terms as the
9 department may deem appropriate; provided that the
10 department shall not obligate any funds of the State,
11 except the funds that have been appropriated to the
12 department. Pursuant to cooperative agreement with
13 any authorized federal agency, employees of the
14 cooperative agency may be designated to carry out, on
15 behalf of the State the same as department personnel,
16 specific duties and responsibilities under chapters
17 141, 142, 150A, and rules adopted pursuant to those
18 chapters, for the effective prosecution of pest
19 control and animal disease control and the regulation
20 of import into the State and intrastate movement of
21 regulated articles;



- 1 (4) Secure copies of the laws of other states,
2 territories, and countries, and other publications
3 germane to the subject matters of chapters 141, 142,
4 and 144 to 150A, and make laws and publications
5 available for public information and consultation;
- 6 (5) Provide buildings, grounds, apparatus, and
7 appurtenances necessary for the examination,
8 quarantine, inspection, and fumigation provided for by
9 chapters 141, 142, and 144 to 150A; for the obtaining,
10 propagation, study, and distribution of beneficial
11 insects, growths, and antidotes for the eradication of
12 insects, blights, scales, or diseases injurious to
13 vegetation of value and for the destruction of
14 injurious vegetation; and for carrying out any other
15 purposes of chapters 141, 142, and 144 to 150A;
- 16 (6) Formulate and recommend to the governor and
17 legislature additional legislation necessary or
18 desirable for carrying out the purposes of chapters
19 141, 142, and 144 to 150A;
- 20 (7) Publish at the end of each year a report of the
21 expenditures and proceedings of the department and of



1 the results achieved by the department, together with
2 other matters germane to chapters 141, 142, and 144 to
3 150A and that the department may deem proper;

4 (8) Administer a program of agricultural planning and
5 development, including the formulation and
6 implementation of general and special plans, including
7 but not limited to the functional plan for
8 agriculture; administer the planning, development, and
9 management of the agricultural park program; plan,
10 construct, operate, and maintain the state irrigation
11 water systems; review, interpret, and make
12 recommendations with respect to public policies and
13 actions relating to agricultural land and water use;
14 assist in research, evaluation, development,
15 enhancement, and expansion of local agricultural
16 industries; and serve as liaison with other public
17 agencies and private organizations for the above
18 purposes. In the foregoing, the department shall act
19 to conserve and protect agricultural lands and
20 irrigation water systems, promote diversified
21 agriculture, increase agricultural self-sufficiency,



1 and ensure the availability of agriculturally suitable
2 lands; [~~and~~]

3 (9) Manage, administer, and exercise control over any
4 public lands, as defined under section 171-2, that are
5 designated important agricultural lands pursuant to
6 section 205-44.5, including but not limited to
7 establishing priorities for the leasing of these
8 public lands within the department's jurisdiction[~~-~~];
9 and

10 (10) Have the authority to monitor and regulate hemp
11 production, including commercial production and
12 research, pursuant to section 297B of the Agricultural
13 Marketing Act of 1946, as amended."

14 SECTION 3. Section 141-35, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "[~~+~~]**§141-35[~~+~~]** **Approved seed cultivars[~~-~~]; hemp genetics.**

17 (a) Industrial hemp shall be grown only if it is on the list of
18 approved seed cultivars. The board may from time to time add or
19 remove any seed cultivar from the list if the cultivar is found
20 to be noncompliant with this part.



1 (b) The list of approved seed cultivars shall include the
2 following:

3 (1) Industrial hemp seed cultivars that have been
4 certified by the Organisation for Economic Co-
5 operation and Development; and

6 (2) Hawaii varieties of industrial hemp seed cultivars
7 that have been certified by the board.

8 (c) Licensees may utilize hemp genetics, from any state,
9 that meet federal definitions of hemp."

10 SECTION 4. Section 328-15, Hawaii Revised Statutes, is
11 amended to read as follows:

12 **"§328-15 Drugs or devices deemed misbranded when;**
13 **prescriptions excepted, when.** A drug or device shall be deemed
14 to be misbranded:

15 (1) If its labeling is false or misleading in any
16 particular, or if its labeling or packaging fails to
17 conform with the requirements of section 328-19.1.

18 (2) If in package form, unless it bears a label
19 containing:

20 (A) The name and place of business of the
21 manufacturer, packer, or distributor; and



1 (B) An accurate statement of the quantity of the
2 contents in terms of weight, measure, or
3 numerical count, which statement shall be
4 separately and accurately stated in a uniform
5 location upon the principal display panel of the
6 label, provided that under this subparagraph
7 reasonable variations shall be permitted, and
8 exemptions as to small packages shall be allowed,
9 in accordance with rules adopted by the director.
10 An accurate statement of the quantity of the
11 contents in terms of weight, measure, or
12 numerical count shall not be required for any
13 commodity subject to packaging and labeling
14 requirements imposed by the Secretary of
15 Agriculture pursuant to the Federal Insecticide,
16 Fungicide, and Rodenticide Act or the provisions
17 of the eighth paragraph under the heading "Bureau
18 of Animal Industry" of the Act of March 4, 1913
19 (37 Stat. 832-833; 21 U.S.C. §§151-158), commonly
20 known as the Virus-Serum-Toxin Act.



- 1 (3) If any word, statement, or other information required
2 by or under authority of this part to appear on the
3 label or labeling is not prominently placed thereon
4 with such conspicuousness (as compared with other
5 words, statements, designs, or devices, in the
6 labeling) and in such terms as to render it likely to
7 be read and understood by the ordinary individual
8 under customary conditions of purchase and use.
- 9 (4) If it is for use by a person and contains any quantity
10 of the narcotic or hypnotic substance alpha-eucaine,
11 barbituric acid, beta-eucaine, bromal, cannabis[7]
12 (except hemp as defined in section 329-1), cabromal,
13 chloral, coca, cocaine, codeine, heroin, marijuana,
14 morphine, opium, paraldehyde, peyote, or
15 sulphomethane, or any chemical derivative of [~~such~~]
16 the substance, which derivative, after investigation,
17 has been found to be and designated as habit forming,
18 by rules adopted by the director under this part, or
19 by regulations issued pursuant to section 502(d) of
20 the Federal Act, unless its label bears the name and
21 quantity or proportion of the substance or derivative



1 and in juxtaposition therewith the statement "Warning-
2 -May be habit forming."

3 (5) (A) If it is a drug unless:

4 (i) Its label bears, to the exclusion of any
5 other nonproprietary name (except the
6 applicable systematic chemical name or the
7 chemical formula), the established name, as
8 defined in subparagraph (B), of the drug, if
9 [~~such there be,~~] any; and in case it is
10 fabricated from two or more ingredients, the
11 established name and quantity of each active
12 ingredient, including the kind and quantity
13 or proportion of any alcohol, and also
14 including, whether active or not, the
15 established name and quantity or proportion
16 of any bromides, ether, chloroform,
17 acetanilid, acetophenetidin, amidopyrine,
18 antipyrine, atropine, hyoscine, hyoscyamine,
19 arsenic, digitalis, glucosides, mercury,
20 ouabain, strophanthin, strychnine, thyroid,
21 or any derivative or preparation of any



1 [~~such~~] of those substances, contained
2 therein; provided that the requirement for
3 stating the quantity of the active
4 ingredients, other than the quantity of
5 these specifically named in this paragraph,
6 shall apply only to prescription drugs; and
7 (ii) For any prescription drug the established
8 name of [~~such~~] the drug or ingredient, as
9 the case may be, on [~~such~~] the label (and on
10 any labeling on which a name for [~~such~~] the
11 drug or ingredient is used) is printed
12 prominently and in type at least half as
13 large as that used thereon for any
14 proprietary name or designation for [~~such~~]
15 the drug or ingredient; provided further
16 that to the extent that compliance with the
17 requirements of this subparagraph is
18 impracticable, exemptions shall be allowed
19 under rules adopted by the director.



- 1 (B) As used in this paragraph, the term "established
2 name", with respect to a drug or ingredient
3 thereof, means:
- 4 (i) The applicable official name designated
5 pursuant to section 508 of the Federal Act;
- 6 (ii) If there is no [~~such~~] applicable name and
7 the drug, or the ingredient, is an article
8 recognized in an official compendium, then
9 the official title thereof in the
10 compendium; or
- 11 (iii) If neither clause (i) nor clause (ii) of
12 this subparagraph applies, then the common
13 or usual name, if any, of [~~such~~] the drug or
14 of the ingredient;
- 15 provided further that where clause (ii) of this
16 subparagraph applies to an article recognized in
17 the United States Pharmacopoeia, in the United
18 States Pharmacopoeia Dispensing Information, and
19 in the Homeopathic Pharmacopoeia under different
20 official titles, the official title used in the
21 United States Pharmacopoeia shall apply unless it



1 is labeled and offered for sale as a homeopathic
2 drug, in which case the official title used in
3 the Homeopathic Pharmacopoeia shall apply.

4 (6) Unless its labeling bears[+] adequate:

5 (A) [~~Adequate directions~~] Directions for use; and

6 (B) [~~Such adequate warnings~~] Warnings against use in
7 those pathological conditions or by children
8 where its use may be dangerous to health, or
9 against unsafe dosage or methods or duration of
10 administration or application, in [~~such~~] a manner
11 and form[-] as [~~are~~] necessary for the protection
12 of users; provided that where any requirement of
13 subparagraph (A), as applied to any drug or
14 device, is not necessary for the protection of
15 the public health, the director shall adopt rules
16 exempting the drug or device from [~~such~~] the
17 requirements; provided further that articles
18 exempted under regulations issued under section
19 502(f) of the Federal Act may also be exempt.

20 (7) If it purports to be a drug the name of which is
21 recognized in an official compendium, unless it is



1 packaged and labeled as prescribed therein; provided
2 that the method of packaging may be modified with the
3 consent of the director, or if consent is obtained
4 under the Federal Act. Whenever a drug is recognized
5 in both the United States Pharmacopoeia and the
6 Homeopathic Pharmacopoeia of the United States, it
7 shall be subject to the requirements of the United
8 States Pharmacopoeia with respect to the packaging and
9 labeling unless it is labeled and offered for sale as
10 a homeopathic drug, in which case it shall be subject
11 to the Homeopathic Pharmacopoeia of the United States
12 and not to the United States Pharmacopoeia; provided
13 that in the event of inconsistency between the
14 requirements of this paragraph and those of paragraph
15 (5) as to the name by which the drug or its
16 ingredients shall be designated, the requirements of
17 paragraph (5) shall prevail.

18 (8) If it has been found by the director to be a drug
19 liable to deterioration, unless it is packaged in
20 [~~such~~] any form and manner, and its label bears a
21 statement of [~~such~~] any precautions, as the rules



1 adopted by the director or regulations issued under
2 the Federal Act require as necessary for the
3 protection of public health. No [~~such~~] applicable
4 rule shall be established for any drug recognized in
5 an official compendium until the director shall have
6 informed the appropriate body charged with the
7 revision of the compendium of the need for [~~such~~] the
8 packaging or labeling requirements and [~~such~~] the body
9 shall have failed within a reasonable time to
10 prescribe [~~such~~] the requirements.

11 (9) (A) If it is a drug and its container is so made,
12 formed, or filled as to be misleading;

13 (B) If it is an imitation of another drug; or

14 (C) If it is offered for sale under the name of
15 another drug.

16 (10) If it is dangerous to health when used in the dosage,
17 or with the frequency or duration prescribed,
18 recommended, or suggested in the labeling thereof.

19 (11) If it is, purports to be, or is represented as a drug
20 composed wholly or partly of insulin, unless:



1 (A) It is from a batch with respect to which a
2 certificate or release has been issued pursuant
3 to section 506 of the Federal Act; and

4 (B) The certificate or release is in effect with
5 respect to the drug.

6 (12) If it is, purports to be, or is represented as a drug
7 composed wholly or partly of any kind of penicillin,
8 streptomycin, chlortetracycline, chloramphenicol,
9 bacitracin, or any other antibiotic drug, or any
10 derivative thereof, unless:

11 (A) It is from a batch with respect to which a
12 certificate or release has been issued pursuant
13 to section 507 of the Federal Act; and

14 (B) The certificate or release is in effect with
15 respect to the drug; provided that this paragraph
16 shall not apply to any drug or class of drugs
17 exempted by regulations promulgated under section
18 507(c) or (d) of the Federal Act.

19 For the purpose of this paragraph, the term
20 "antibiotic drug" means any drug intended for use by a
21 person containing any quantity of any chemical



1 substance [~~which~~] that is produced by a microorganism
2 and which has the capacity to inhibit or destroy
3 microorganisms in dilute solution (including the
4 chemically synthesized equivalent of [~~any such~~] the
5 substance).

6 (13) If it is a color additive, the intended use of which
7 in or on drugs is for the purpose of coloring only,
8 unless its packaging and labeling are in conformity
9 with the packaging and labeling requirements
10 applicable to [~~such~~] a color additive prescribed under
11 section 328-13(b).

12 (14) In the case of any prescription drug distributed or
13 offered for sale in this State, unless the
14 manufacturer, packer, or distributor thereof includes
15 in all advertisements and other descriptive printed
16 matter issued or caused to be issued by the
17 manufacturer, packer, or distributor with respect to
18 that drug a true statement of:

19 (A) The established name, as defined in paragraph
20 (5)(B), printed prominently and in type at least



1 half as large as that used for any trade or brand
2 name thereof;

3 (B) The formula showing quantitatively each
4 ingredient of the drug to the extent required for
5 labels under section 502(e) of the Federal Act;
6 and

7 (C) [~~Such~~] Any other information in brief summary
8 relating to side effects, contra-indications, and
9 effectiveness as shall be required in rules
10 adopted by the director.

11 (15) If a trademark, trade name, or other identifying mark,
12 imprint, or device of another or any likeness of the
13 foregoing has been placed thereon or upon its
14 container with intent to defraud.

15 (16) Drugs and devices [~~which~~] that are, in accordance with
16 the practice of the trade, to be processed, labeled,
17 or repacked in substantial quantities at
18 establishments other than those where originally
19 processed or packed shall be exempt from any labeling
20 or packaging requirements of this part; provided that
21 [~~such~~] those drugs and devices are being delivered,



1 manufactured, processed, labeled, repacked, or
2 otherwise held in compliance with rules adopted by the
3 director.

4 (17) If it has met or exceeded the expiration date
5 established by the manufacturer or principal labeler."

6 SECTION 5. Section 329-1, Hawaii Revised Statutes, is
7 amended as follows:

8 1. By adding a new definition to be appropriately inserted
9 and to read:

10 "Hemp" means the plant Cannabis sativa L. and any part of
11 that plant, including the seeds thereof and all derivatives,
12 extracts, cannabinoids, isomers, acids, salts, and salts of
13 isomers, whether growing or not, with a delta-9
14 tetrahydrocannabinol concentration of not more than 0.3 per cent
15 on a dry weight basis."

16 2. By amending the definition of "marijuana" to read:

17 "Marijuana" means all parts of the plant (genus) Cannabis
18 whether growing or not; the seeds thereof, the resin extracted
19 from any part of the plant; and every compound, manufacture,
20 salt, derivative, mixture, or preparation of the plant, its
21 seeds, or resin. [††]



1 "Marijuana" does not include [~~the~~]:

2 (1) Hemp; or

3 (2) The mature stalks of the plant[~~7~~] (genus) Cannabis,
4 fiber produced from the stalks, oil, or cake made from
5 the seeds of the plant, any other compound,
6 manufacture, salt, derivative, mixture, or preparation
7 of the mature stalks (except the resin extracted
8 therefrom), fiber, oil, or cake, or the sterilized
9 seed of the plant [~~which~~] that is incapable of
10 germination."

11 SECTION 6. Section 329-14, Hawaii Revised Statutes, is
12 amended by amending subsection (g) to read as follows:

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

17 (1) Tetrahydrocannabinols; meaning tetrahydrocannabinols
18 naturally contained in a plant of the genus Cannabis
19 (cannabis plant), as well as synthetic equivalents of
20 the substances contained in the plant, or in the
21 resinous extractives of Cannabis, sp. or synthetic



1 substances, derivatives, and their isomers with
2 similar chemical structure and pharmacological
3 activity to those substances contained in the plant,
4 such as the following: Delta 1 cis or trans
5 tetrahydrocannabinol, and their optical isomers; Delta
6 6 cis or trans tetrahydrocannabinol, and their optical
7 isomers; and Delta 3,4 cis or trans-
8 tetrahydrocannabinol, and its optical isomers (since
9 nomenclature of these substances is not
10 internationally standardized, compounds of these
11 structures, regardless of numerical designation of
12 atomic positions, are covered); provided that
13 tetrahydrocannabinols under this subsection shall
14 exclude tetrahydrocannabinols in hemp;

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



1 whether or not substituted in the naphthyl ring to any
2 extent;

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

12 (4) Naphthoylpyrroles; meaning any compound containing a
13 3-(1-naphthoyl)pyrrole structure with substitution at
14 the nitrogen atom of the pyrrole ring by a alkyl,
15 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
16 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)
17 ethyl group whether or not further substituted in the
18 pyrrole ring to any extent, whether or not substituted
19 in the naphthyl ring to any extent;

20 (5) Naphthylmethylindenes; meaning any compound containing
21 a naphthylideneindene structure with substitution at



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



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



- 1 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-
2 methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl,
3 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
4 morpholinyl)methyl, or tetrahydropyranylmethyl group,
5 whether or not further substituted in the indole ring
6 to any extent and whether or not substituted in the
7 tetramethylcyclopropyl ring to any extent;
- 8 (12) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide,
9 its optical, positional, and geometric isomers, salts,
10 and salts of isomers (Other names: APINACA, AKB48);
- 11 (13) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate, its
12 optical, positional, and geometric isomers, salts, and
13 salts of isomers (Other names: PB-22; QUPIC);
- 14 (14) Quinolin-8-yl 1-(5fluoropentyl)-1H-indole-3-
15 carboxylate, its optical, positional, and geometric
16 isomers, salts, and salts of isomers (Other names: 5-
17 fluoro-PB-22; 5F-PB-22);
- 18 (15) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-
19 fluorobenzyl)-1H-indazole-3-carboxamide, its optical,
20 positional, and geometric isomers, salts, and salts of
21 isomers (Other names: AB-FUBINACA);



- 1 (16) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
2 indazole-3-carboxamide, its optical, positional, and
3 geometric isomers, salts, and salts of isomers (Other
4 names: ADB-PINACA);
- 5 (17) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-
6 (cyclohexylmethyl)-1H-indazole-3-carboxamide, its
7 optical, positional, and geometric isomers, salts, and
8 salts of isomers (Other names: AB-CHMINACA);
- 9 (18) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-
10 indazole-3-carboxamide, and geometric isomers, salts,
11 and salts of isomers (Other names: AB-PINACA);
- 12 (19) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-
13 yl)methanone, and geometric isomers, salts, and salts
14 of isomers (Other names: THJ-2201);
- 15 (20) Methyl (1-(4-fluorobenzyl)-1 H-indazole-3-carbonyl)-L-
16 valinate, and geometric isomers, salts, and salts of
17 isomers (Other names: FUB-AMB);
- 18 (21) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
19 carboxamido)-3-methylbutanoate, and geometric isomers,
20 salts, and salts of isomers (Other names: 5-fluoro-
21 AMB, 5-fluoro-AMP);



- 1 (22) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-
2 indazole-3-carboxamide, and geometric isomers, salts,
3 and salts of isomers (Other names: AKB48 N-(5-
4 fluoropentyl) analog, 5F-AKB48, APINACA 5-fluoropentyl
5 analog, 5F-APINACA);
- 6 (23) N-adamantyl-1-fluoropentylindole-3-Carboxamide, and
7 geometric isomers, salts, and salts of isomers (Other
8 names: STS-135, 5F-APICA; 5-fluoro-APICA);
- 9 (24) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-
10 carboxylate, and geometric isomers, salts, and salts
11 of isomers (Other names: NM2201);
- 12 (25) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
13 (cyclohexylmethyl)-1H-indazole-3-carboxamide, and
14 geometric isomers, salts, and salts of isomers (Other
15 names: MAB-CHMINACA and ADB-CHMINACA);
- 16 (26) Methyl 2-[1-(5-fluoropentyl)-1H-indazole-3-
17 carboxamido]-3,3-dimethylbutanoate (Other names: 5F-
18 ADB, 5-flouro-ADB, and 5F-MDMB-PINACA), its optical,
19 positional, and geometric isomers, salts, and salts of
20 isomers; and



1 (27) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)indazole-3-
 2 carboxamide (CUMYL-4CN-BINACA), its optical,
 3 positional, and geometric isomers, salts, and salts of
 4 isomers; also known as SGT-78, 4-CN-CUMYL-BINACA;
 5 CUMYL-CB-PINACA; CUMYL-CYBINACA; 4-cyano CUMYL-
 6 BUTINACA."

7 SECTION 7. Section 712-1240, Hawaii Revised Statutes, is
 8 amended as follows:

9 1. By adding two new definitions to be appropriately
 10 inserted and to read:

11 "Hemp" shall have the same meaning as in section 329-1.

12 "Tetrahydrocannabinol" means tetrahydrocannabinol naturally
 13 contained in a plant of the genus Cannabis (cannabis plant), as
 14 well as synthetic equivalents of the substances contained in the
 15 plant, or in the resinous extractives of Cannabis, sp. or
 16 synthetic substances, derivatives, and their isomers with
 17 similar chemical structure and pharmacological activity to those
 18 substances contained in the plant, such as the following: Delta
 19 1 cis or trans tetrahydrocannabinol, and their optical isomers;
 20 Delta 6 cis or trans tetrahydrocannabinol, and their optical
 21 isomers; and Delta 3,4 cis or trans-tetrahydrocannabinol, and



1 its optical isomers (since nomenclature of these substances is
2 not internationally standardized, compounds of these structures,
3 regardless of numerical designation of atomic positions, are
4 covered); provided that tetrahydrocannabinol shall exclude
5 tetrahydrocannabinol in hemp."

6 2. By amending the definition of "marijuana" to read:

7 "Marijuana" means any part of the plant (genus) cannabis,
8 whether growing or not, including the seeds and the resin, and
9 every alkaloid, salt, derivative, preparation, compound, or
10 mixture of the plant, its seeds or resin[, ~~except that, as used~~
11 ~~herein, "marijuana"~~]. "Marijuana" does not include hemp,
12 hashish, tetrahydrocannabinol, and any alkaloid, salt,
13 derivative, preparation, compound, or mixture, whether natural
14 or synthesized, of tetrahydrocannabinol."

15 SECTION 8. (a) The chairperson of the board of
16 agriculture shall prepare and submit a proposed state plan to
17 monitor and regulate hemp production in the State pursuant to
18 section 297B of the Agricultural Marketing Act of 1946, as
19 amended, to the federal Secretary of Agriculture within
20 days after the approval of this Act. The chairperson shall also
21 submit a copy of the proposed state plan to the governor, the



1 president of the senate, and the speaker of the house of
2 representatives.

3 (b) The chairperson of the board of agriculture shall
4 submit reports on a basis to the governor, the president of
5 the senate, and the speaker of the house of representatives
6 concerning the status of the federal Secretary of Agriculture's
7 pending approval of the state plan until the state plan is
8 approved.

9 (c) The chairperson of the board of agriculture shall
10 submit a report on the implementation of the state plan to the
11 legislature no later than twenty days prior to the convening of
12 the regular session of 2020. The report shall include any
13 proposed legislation to facilitate the monitoring and regulation
14 of hemp production in the State.

15 SECTION 9. 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 10. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 11. This Act shall take effect on September 22,
21 2050.



Report Title:

Hemp; Cannabis; Controlled Substances; Legalization; Hemp Genetics

Description:

Legalizes hemp to the extent legalized under federal law. Requires the Chairperson of the Board of Agriculture to prepare and submit a proposed state plan to monitor and regulate hemp production, including commercial production and research, to the federal Secretary of Agriculture pursuant to section 297B of the Agricultural Marketing Act of 1946, as amended. Authorizes the Department of Agriculture to monitor and regulate hemp production. Allows Industrial Hemp Pilot Project licensee to utilize hemp genetics. Requires reports to the Governor and Legislature. Effective 9/22/2050. (HB131 HD2)

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

