

STAND. COM. REP. NO. 961

Honolulu, Hawaii

FEB 28 , 2019

RE: H.B. No. 1383
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1383 entitled:

"A BILL FOR AN ACT RELATING TO MARIJUANA,"

begs leave to report as follows:

The purpose of this measure is to decriminalize certain offenses related to marijuana and establish a schedule of monetary fines for violations. This measure also:

- (1) Changes statutory references from "marijuana" to "cannabis";
- (2) Provides for the dismissal of charges and expungement of criminal records based solely on cannabis offenses; and
- (3) Establishes a cannabis evaluation working group to study the future of cannabis in the State.

The Drug Policy Forum of Hawai'i, American Civil Liberties Union of Hawai'i, IMUAlliance, Hawai'i Alliance for Progressive Action, Young Progressives Demanding Action, Hawai'i Health and Harm Reduction Center, Drug Policy Action Group, Community Alliance on Prisons, and many individuals testified in support of this measure. The Department of the Attorney General, Department of Transportation, City and County of Honolulu Department of the

HB1383 HD1 HSCR JUD HMS 2019-2631



Prosecuting Attorney, Honolulu Police Department, Maui Police Department, Hawaii Family Forum, Uturn for Christ Kauai, Metro Christian Church, Coalition for a Drug-Free Hawaii, Inspire Church Waikele, Calvary Chapel Wahiawa, and numerous individuals testified in opposition to this measure. Several individuals provided comments.

Your Committee has amended this measure by:

- (1) Amending its preamble;
- (2) Establishing an adjudicatory process for civil cannabis violations similar to the traffic violation adjudicatory process;
- (3) Deleting language that decriminalized the offenses of promoting marijuana concentrates in the first degree and the commercial promotion of marijuana in the first and second degree;
- (4) Inserting incremental fines for civil cannabis violations;
- (5) Ensuring that the distribution of cannabis concentrates to minors remains a criminal offense;
- (6) Amending the definitions of "detrimental drug" and "harmful drug" to delete the inclusion of cannabis or cannabis concentrates;
- (7) Deleting the establishment of a cannabis evaluation working group to study the future of cannabis in the State;
- (8) Making conforming amendments to various statutory sections;
- (9) Changing its effective date to January 11, 2020; and
- (10) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your



Committee is in accord with the intent and purpose of H.B. No. 1383, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1383, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



CHRIS LEE, Chair



