
A BILL FOR AN ACT

RELATING TO MEDICAL CANNABIS.

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

1 SECTION 1. Section 329D-6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 1. By amending subsection (e) to read:

4 "(e) Retail dispensing locations shall not be open for
5 retail sales before 8:00 a.m. or after 8:00 p.m., Hawaii-
6 Aleutian Standard Time, Monday through Sunday. Retail
7 dispensing locations shall be closed on official state and
8 federal holidays."

9 2. By amending subsection (m) to read:

10 (m) A dispensary shall not transport cannabis or
11 manufactured cannabis products to another county or another
12 island; provided that this subsection shall not apply to the
13 transportation of cannabis or any manufactured cannabis product
14 solely for the purposes of laboratory testing pursuant to
15 section 329D-8, and subject to subsection (j) [7], if no
16 certified laboratory is located in the county or on the island
17 where the dispensary is located; provided further that a



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1 dispensary shall only transport samples of cannabis and
2 manufactured cannabis products for laboratory testing for
3 purposes of this subsection in an amount and manner prescribed
4 by the department, in rules adopted pursuant to this chapter,
5 and with the understanding that state law and its protections do
6 not apply outside of the jurisdictional limits of the State."

7 SECTION 2. Section 329D-22, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) Medical cannabis production centers and dispensaries
10 shall comply with all county zoning ordinances, rules, or
11 regulations; provided that:

12 (1) A medical cannabis production center shall be
13 permitted in any area in which agricultural production
14 is permitted except as provided within this chapter;
15 and

16 (2) No medical cannabis production center or dispensary
17 shall be permitted within seven hundred fifty feet of
18 the real property comprising a playground, public
19 housing project or complex, or school."

20 SECTION 3. Section 329D-5.5, Hawaii Revised Statutes, is
21 repealed.



1 ~~["§329D-5.5] Sale or transfer of dispensary license. (a)~~
2 ~~In the event of death, legal incapacity, or permanent disability~~
3 ~~of an individual dispensary licensee, the relevant entity~~
4 ~~licensee shall notify the department within thirty days of the~~
5 ~~individual licensee's inability to continue in the individual's~~
6 ~~capacity as a licensee, and shall provide to the department~~
7 ~~within thirty days of the notice a plan for the sale or transfer~~
8 ~~of the individual license to another individual who meets all~~
9 ~~the requirements under this chapter and has been a resident of~~
10 ~~the State for not less than five years preceding the proposed~~
11 ~~date of transfer.~~

12 ~~(b) In the event of a voluntary resignation by an~~
13 ~~individual licensee, termination of an individual licensee's~~
14 ~~employment with an entity licensee with or without cause, or any~~
15 ~~other permanent separation of the relationship between an~~
16 ~~individual licensee and an entity licensee, the relevant entity~~
17 ~~licensee shall submit a plan to the department for approval at~~
18 ~~least thirty days prior to any sale or transfer of the~~
19 ~~individual license to another individual who shall meet all the~~
20 ~~requirements under this chapter and shall have been a resident~~



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1 ~~of the State for not less than five years preceding the date of~~
2 ~~transfer.~~

3 ~~(c) The department may deny a request for transfer of~~
4 ~~ownership if it deems the transferee has failed to meet all the~~
5 ~~requirements of section 329D-3 for ownership."]~~

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

8 SECTION 5. This Act shall take effect on July 1, 2020.

9

INTRODUCED BY: *Felish On*

A. J. [Signature]
JAN 15 2020



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Report Title:

Medical Cannabis; Dispensaries; Dispensary Hours; Dispensary Location; Transportation; Sale or Transfer of License

Description:

Requires medical cannabis dispensaries to be closed on official state and federal holidays. Prohibits the transportation of cannabis to another county or island for testing except when there is no certified laboratory located in same county or island as the dispensary. Prohibits dispensaries from being located within 750 feet of a public housing project or complex. Repeals statute allowing for the sale or transfer of dispensary licenses.

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