HOUSE OF REPRESENTATIVES
THIRTIETH LEGISLATURE, 2020
STATE OF HAWAII

H.B. NO. 1843 H.D. 1

A BILL FOR AN ACT

RELATING TO MEDICAL CANNABIS PRODUCTS.

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

SECTION 1. The legislature finds that for twenty years medical cannabis patients have been allowed to self-cultivate cannabis; however, there has been no legal way to acquire cannabis seeds or clones. Allowing medical cannabis patients to grow their own cannabis from seeds or clones will enable these patients to obtain strains with medicinal properties while minimizing the risk of unwanted pests and pathogens from being introduced into a homegrown environment.

The purpose of this Act is to authorize the manufacture and distribution of cannabis seeds and cannabis clones by medical cannabis dispensary licensees.

SECTION 2. Section 329D-1, Hawaii Revised Statutes, is amended by amending the definition of "manufactured cannabis product" to read as follows:

""Manufactured cannabis product" means any capsule, lozenge, oil or oil extract, tincture, ointment or skin lotion, pill, transdermal patch, or pre-filled and sealed container used

to aerosolize and deliver cannabis orally, such as an inhaler or nebulizer, that has been manufactured using cannabis, or any other products as specified by the department pursuant to section [~~329D-10(a)(10).~~] 329D-10(a)."

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

"**§329D-10 Types of manufactured cannabis products.** (a) The types of medical cannabis products that may be manufactured and distributed pursuant to this chapter shall be limited to:

(1) Capsules;

(2) Lozenges;

(3) Pills;

(4) Oils and oil extracts;

(5) Tinctures;

(6) Ointments and skin lotions;

(7) Transdermal patches;

(8) Pre-filled and sealed containers used to aerosolize and deliver cannabis orally, such as with an inhaler or nebulizer; provided that containers need not be manufactured by the licensed dispensary but shall be filled with cannabis, cannabis oils, or cannabis

extracts manufactured by the licensed dispensary; shall not contain nicotine, tobacco-related products, or any other non-cannabis derived products; and shall be designed to be used with devices used to provide safe pulmonary administration of manufactured cannabis products;

(9) Devices that provide safe pulmonary administration; provided that:

(A) The heating element of the device, if any, is made of inert materials such as glass, ceramic, or stainless steel, and not of plastic or rubber;

(B) The device is distributed solely for use with single-use, pre-filled, tamper-resistant, sealed containers that do not contain nicotine or other tobacco products;

(C) The device is used to aerosolize and deliver cannabis by inhalation, such as an inhaler, medical-grade nebulizer, or other similar medical grade volitization device;

(D) There is a temperature control on the device that is regulated to prevent the combustion of cannabis oil; and

(E) The device need not be manufactured by the licensed dispensary; [~~and~~]

(10) Cannabis seeds;

(11) Cannabis clones; and

[~~(10)~~] (12) Other products as specified by the department.

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

"Cannabis clone" means a cutting or other specimen of a cannabis plant that is genetically identical to the plant from which it was taken and can be replanted or developed to produce a mature cannabis plant.

"Cannabis seed" means the seed of the plant (genus) Cannabis.

"Lozenge" means a small tablet manufactured in a manner to allow for the dissolving of its medicinal or therapeutic component slowly in the mouth."

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

SECTION 5. This Act shall take effect on July 1, 2050.

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Report Title:
Medical Cannabis; Cannabis Seeds; Cannabis Clones; Dispensaries

Description:
Authorizes the manufacture and distribution of cannabis seeds and cannabis clones by medical cannabis dispensary licensees. Effective 7/1/2050. (HD1)

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