
A BILL FOR AN ACT

RELATING TO MEDICAL CANNABIS.

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

1 SECTION 1. The legislature finds that restricting the
2 interisland transportation of cannabis by patients for their
3 personal medical use is contrary to the intent of Hawaii laws
4 that authorize qualifying patients to use medical cannabis.

5 Accordingly, the purpose of this Act is to protect the
6 rights of qualifying patients to use medical cannabis by
7 specifically authorizing the interisland transportation of
8 cannabis for personal medical use.

9 SECTION 2. Section 329-122, Hawaii Revised Statutes, is
10 amended by amending subsection (f) to read as follows:

11 "(f) For the purposes of this section, "transport" means
12 the transportation of cannabis, usable cannabis, or any
13 manufactured cannabis product between:

14 (1) A qualifying patient and the qualifying patient's
15 primary caregiver;



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1 (2) A qualifying out-of-state patient under eighteen years
2 of age and the caregiver of a qualifying out-of-state
3 patient;

4 (3) The production centers and the retail dispensing
5 locations under a dispensary licensee's license; or

6 (4) A production center, retail dispensing location,
7 qualifying patient, primary caregiver, qualifying out-
8 of-state patient, or caregiver of a qualifying out-of-
9 state patient and a certified laboratory for the
10 purpose of laboratory testing; provided that a
11 qualifying patient, primary caregiver, qualifying out-
12 of-state patient, or caregiver of a qualifying out-of-
13 state patient may only transport up to one gram of
14 cannabis per test to a certified laboratory for
15 laboratory testing and may only transport the product
16 if the qualifying patient, primary caregiver,
17 qualifying out-of-state patient, or caregiver of a
18 qualifying out-of-state patient:

19 (A) Secures an appointment for testing at a certified
20 laboratory;



1 (B) Obtains confirmation, which may be electronic,
2 that includes the specific time and date of the
3 appointment and a detailed description of the
4 product and amount to be transported to the
5 certified laboratory for the appointment; and

6 (C) Has the confirmation, which may be electronic,
7 available during transport.

8 For purposes of interisland transportation, "transport" of
9 cannabis, usable cannabis, or any manufactured cannabis product,
10 by any means is allowable only by a qualifying patient or
11 qualifying out-of-state patient for their personal medical use,
12 or between a production center or retail dispensing location and
13 a certified laboratory for the sole purpose of laboratory
14 testing pursuant to section 329D-8, as permitted under section
15 329D-6(m) and subject to section 329D-6(j), and with the
16 understanding that state law and its protections do not apply
17 outside of the jurisdictional limits of the State. Allowable
18 transport pursuant to this section does not include interisland
19 transportation by any means or for any purpose between a
20 qualified patient, primary caregiver, qualifying out-of-state
21 patient, or caregiver of a qualifying out-of-state patient and



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1 any other entity or individual, including an individual who is a
2 qualified patient, primary caregiver, qualifying out-of-state
3 patient, or caregiver of a qualifying out-of-state patient."

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

7 SECTION 4. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

9

INTRODUCED BY:

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and difficult to decipher.

JAN 18 2019



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Report Title:

Cannabis; Medical Use; Interisland Transportation; Authorization

Description:

Authorizes qualifying patients and qualifying out-of-state patients to transport cannabis between islands of the State for personal medical use.

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

