

JAN 24 2019

A BILL FOR AN ACT

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

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

1 SECTION 1. Section 329-22, Hawaii Revised Statutes, is
2 amended by to read as follows:

3 §329-22 Schedule V. (a) The controlled substances listed
4 in this section are included in schedule V.

5 (b) Narcotic drugs containing nonnarcotic active medicinal
6 ingredients. Any compound, mixture, or preparation containing
7 limited quantities of any of the following narcotic drugs, which
8 also contains one or more nonnarcotic active medicinal
9 ingredients in sufficient proportion to confer upon the
10 compound, mixture, or preparation, valuable medicinal qualities
11 other than those possessed by the narcotic drug alone:

12 (1) Not more than 200 milligrams of codeine, or any
13 of its salts, per 100 milliliters or per 100
14 grams;

15 (2) Not more than 100 milligrams of dihydrocodeine,
16 or any of its salts, per 100 milliliters or per
17 100 grams;

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1 (3) Not more than 100 milligrams of ethylmorphine, or
2 any of its salts, per 100 milliliters or per 100
3 grams;

4 (4) Not more than 2.5 milligrams of diphenoxylate and
5 not less than 25 micrograms of atropine sulfate
6 per dosage unit;

7 (5) Not more than 100 milligrams of opium per 100
8 milliliters or per 100 grams; and

9 (6) Not more than 0.5 milligram of difenoxin and not
10 less than 25 micrograms of atropine sulfate per
11 dosage unit.

12 (c) Stimulants. Unless specifically exempted or excluded
13 or unless listed in another schedule, any material, compound,
14 mixture, or preparation that contains any quantity of the
15 following substances having a stimulant effect on the central
16 nervous system, including its salts, isomers, and salts of
17 isomers.

18 (d) Depressants. Unless specifically exempted or excluded
19 or unless listed in another schedule, any material, compound,
20 mixture, or preparation that contains any quantity of the
21 following substances having a depressant effect on the central

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1 nervous system, including its salts, isomers, and salts of
2 isomers:

- 3 (1) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-
4 propionamide], (Vimpat);
5 (2) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic
6 acid]; and
7 (3) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-
8 propylpyrrolidin-1-yl]butanamide) (Other names:
9 BRV; UCB-34714; Briviact) and its salts. [L 1972,
10 c 10, pt of §1; am L 1978, c 68, §6; am L 1985, c
11 150, §4; am L 2003, c 151, §6; am L 2008, c 119,
12 §6; am L 2010, c 123, §4; am L 2017, c 155, §3].

13 "(e) Approved cannabidiol drugs. A drug product in
14 finished dosage formulation that has been approved by the U.S.
15 Food and Drug Administration that contains cannabidiol (2-[1R-3-
16 methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-
17 benzenediol) derived from cannabis and no more than 0.1 per cent
18 (w/w) residual tetrahydrocannabinols."

19 SECTION 2. New statutory material is underscored.

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1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: *M. D. D.*

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BY REQUEST

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Report Title:

Uniform Controlled Substances Act

Description:

Updates chapter 329-22, Hawaii Revised Statutes, by adding subsection (e) to make it consistent with amendments in federal controlled substances law as required under section 329-11.

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

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JUSTIFICATION SHEET

DEPARTMENT: Public Safety

TITLE: A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

PURPOSE: Updates section 329-22, Hawaii Revised Statutes (HRS), by adding subsection (e) to make it consistent with amendments in federal controlled substances law as required under section 329-11.

MEANS: Amend section 329-22, HRS.

JUSTIFICATION: Proposed amendments to chapter 329, HRS, will update Hawaii's Uniform Controlled Substances Act with changes made to the Federal Controlled Substance Act, Federal Register Volume 83, Number 189 FR Doc No: 2018-21121, by adding approved cannabidiol drugs to schedule V, section 329-22(e), HRS.

Impact on the public: This bill is intended to protect the public by updating Hawaii's controlled substance schedules consistent with federal law.

Impact on the department and other agencies: These proposed amendments would assist the Department's Narcotics Enforcement Division in clarifying regulations of the Uniform Controlled Substances Act.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: PSD 502.

OTHER AFFECTED AGENCIES: Department of Health Food and Drug Branch, Federal, State, and County law enforcement.

EFFECTIVE DATE: Upon approval.