
A BILL FOR AN ACT

RELATING TO MARIJUANA DECRIMINALIZATION.

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

1 SECTION 1. The legal history of cannabis or marijuana in
2 the United States primarily addresses the regulation of
3 marijuana for medical use, and secondarily the use of marijuana
4 for personal or recreational purposes. By the mid-1930s
5 cannabis was regulated as a drug in every state, including
6 thirty-five states that adopted the Uniform State Narcotic Drug
7 Act which was subsequently replaced in 1970 with the federal
8 Uniform Controlled Substances Act, which classifies marijuana
9 and tetrahydrocannabinol as schedule I controlled substances.

10 Notwithstanding the prospect of federal prosecution,
11 several states, including Hawai'i, have enacted medical marijuana
12 laws. Chapter 329, part IX, Hawai'i Revised Statutes, was
13 enacted to create a medical use of marijuana exemption from
14 criminal sanctions. Other jurisdictions, such as Alaska,
15 Arizona, Arkansas, California, Colorado, Connecticut, District
16 of Columbia, Delaware, Florida, Illinois, Maine, Maryland,
17 Massachusetts, Michigan, Minnesota, Montana, Nevada, New



1 Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio,
2 Oklahoma, Oregon, Pennsylvania, Rhode Island, Vermont, West
3 Virginia, and Washington, also allow the use of marijuana for
4 medicinal purposes. Furthermore, chapter 329D, Hawai'i Revised
5 Statutes, was enacted to establish medical marijuana
6 dispensaries that were authorized to operate beginning in July
7 2016. As Hawai'i expands its medical marijuana program through
8 the use of highly regulated and monitored dispensaries, more
9 patients are anticipated to consider medical marijuana as a
10 viable treatment, knowing that the medicine will be regulated
11 and tested.

12 In addition to medicinal marijuana laws, some states have
13 legalized or decriminalized marijuana. Most places that have
14 decriminalized cannabis have civil fines, confiscation, drug
15 education, or drug treatment in place of incarceration or
16 criminal charges for possession of small amounts of cannabis, or
17 have made various cannabis offenses the lowest priority for law
18 enforcement. The states of Alaska, California, Colorado,
19 Connecticut, Delaware, District of Columbia, Maine, Maryland,
20 Massachusetts, Michigan Minnesota, Mississippi, Missouri,
21 Nebraska, Nevada, New York, North Carolina, Ohio, Oregon, Rhode



1 Island, Vermont, and Washington have decriminalized marijuana in
2 small amounts. In each of these states, marijuana users no
3 longer face arrest or jail time for the possession or use of
4 marijuana in an amount permitted by statute.

5 The legislature further finds that the decriminalization of
6 marijuana for personal or recreational use is a natural,
7 logical, and reasonable outgrowth of the current science of
8 marijuana and attitude toward marijuana. In 2012, voters in
9 Colorado voted to amend the state's constitution (Amendment 64)
10 to legalize and regulate the production, possession, and
11 distribution of marijuana for persons age twenty-one and older.
12 Also in 2012, voters in Washington approved a proposition to
13 legalize and regulate the production, possession, and
14 distribution of cannabis for persons age twenty-one and older.
15 Colorado became the first state to remove the prohibition on
16 commercial production of marijuana for general use. Colorado
17 realized state tax revenue of approximately \$18,900,000 during
18 the first half of 2014, and this revenue is expected to increase
19 as sales of retail marijuana increase. Following Colorado and
20 Washington's lead, Alaska, California, Massachusetts, Oregon,
21 and Vermont passed legislation to also legalize and regulate the



1 production, possession, and distribution of cannabis for persons
2 age twenty-one and older.

3 The legislature further finds that marijuana cultivation
4 and sales hold potential for economic development, increased tax
5 revenues, and reduction in crime.

6 The purpose of this Act is to:

- 7 (1) Remove marijuana from Schedule 1 of the uniform
8 controlled substances act and reclassify it as a
9 Schedule V drug; and
- 10 (2) Increase the amount that qualifies as a violation of
11 promoting a detrimental drug in the third degree from
12 three grams to ten grams.

13 SECTION 2. Section 329-14, Hawaii Revised Statutes, is
14 amended as follows:

15 1. By amending subsection (d) to read:

16 "(d) Any material, compound, mixture, or preparation that
17 contains any quantity of the following hallucinogenic
18 substances, their salts, isomers, and salts of isomers, unless
19 specifically excepted, whenever the existence of these salts,
20 isomers, and salts of isomers is possible within the specific
21 chemical designation:



- 1 (1) Alpha-ethyltryptamine (AET);
- 2 (2) 2,5-dimethoxy-4-ethylamphetamine (DOET);
- 3 (3) 2,5-dimethoxyamphetamine (2,5-DMA);
- 4 (4) 3,4-methylenedioxy amphetamine;
- 5 (5) 3,4-methylenedioxymethamphetamine (MDMA);
- 6 (6) N-hydroxy-3,4-methylenedioxyamphetamine (N-hydroxy-
- 7 MDA);
- 8 (7) 3,4-methylenedioxy-N-ethylamphetamine (MDE);
- 9 (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
- 10 (9) 4-bromo-2,5-dimethoxy-amphetamine (4-bromo-2,5-DMA);
- 11 (10) 4-Bromo-2,5-dimethoxyphenethylamine (Nexus);
- 12 (11) 3,4,5-trimethoxy amphetamine;
- 13 (12) Bufotenine;
- 14 (13) 4-methoxyamphetamine (PMA);
- 15 (14) Diethyltryptamine;
- 16 (15) Dimethyltryptamine;
- 17 (16) 4-methyl-2,5-dimethoxy-amphetamine;
- 18 (17) Gamma hydroxybutyrate (GHB) (some other names include
- 19 gamma hydroxybutyric acid; 4-hydroxybutyrate;
- 20 4-hydroxybutanoic acid; sodium oxybate; sodium
- 21 oxybutyrate);



- 1 (18) Ibogaine;
- 2 (19) Lysergic acid diethylamide;
- 3 [~~(20)~~ ~~Marijuana~~;
- 4 ~~(21)~~] (20) Parahexyl;
- 5 [~~(22)~~] (21) Mescaline;
- 6 [~~(23)~~] (22) Peyote;
- 7 [~~(24)~~] (23) N-ethyl-3-piperidyl benzilate;
- 8 [~~(25)~~] (24) N-methyl-3-piperidyl benzilate;
- 9 [~~(26)~~] (25) Psilocybin;
- 10 [~~(27)~~] (26) Psilocyn;
- 11 [~~(28)~~] (27) 1-[1-(2-Thienyl) cyclohexyl] Pyrrolidine (TCPy);
- 12 [~~(29)~~] (28) Ethylamine analog of phencyclidine (PCE);
- 13 [~~(30)~~] (29) Pyrrolidine analog of phencyclidine (PCPy, PHP);
- 14 [~~(31)~~] (30) Thiophene analog of phencyclidine (TPCP; TCP);
- 15 [~~(32)~~] (31) Gamma-butyrolactone, including butyrolactone;
- 16 butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone
- 17 dihydro; dihydro-2(3H)furanone; tetrahydro-2-furanone;
- 18 1,2-butanolide; 1,4-butanolide; 4-butanolide; gamma-
- 19 hydroxybutyric acid lactone; 3-hydroxybutyric acid
- 20 lactone and 4-hydroxybutanoic acid lactone with



- 1 Chemical Abstract Service number 96-48-0 when any such
2 substance is intended for human ingestion;
- 3 ~~[(33)]~~ (32) 1,4 butanediol, including butanediol; butane-
4 1,4-diol; 1,4- butylenes glycol; butylene glycol; 1,4-
5 dihydroxybutane; 1,4- tetramethylene glycol;
6 tetramethylene glycol; tetramethylene 1,4- diol with
7 Chemical Abstract Service number 110-63-4 when any
8 such substance is intended for human ingestion;
- 9 ~~[(34)]~~ (33) 2,5-dimethoxy-4-(n)-propylthiophenethylamine
10 (2C-T-7), its optical isomers, salts, and salts of
11 isomers;
- 12 ~~[(35)]~~ (34) N-benzylpiperazine (BZP; 1-benzylpiperazine) its
13 optical isomers, salts, and salts of isomers;
- 14 ~~[(36)]~~ (35) 1-(3-trifluoromethylphenyl)piperazine (TFMPP),
15 its optical isomers, salts, and salts of isomers;
- 16 ~~[(37)]~~ (36) Alpha-methyltryptamine (AMT), its isomers,
17 salts, and salts of isomers;
- 18 ~~[(38)]~~ (37) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-
19 DIPT), its isomers, salts, and salts of isomers;
- 20 ~~[(39)]~~ (38) Salvia divinorum;
- 21 ~~[(40)]~~ (39) Salvinorin A;



- 1 [~~(41)~~] (40) Divinorin A;
- 2 [~~(42)~~] (41) 5-Methoxy-N,N-Dimethyltryptamine (5-MeO-DIPT)
- 3 (some trade or other names: 5-methoxy-3-[2-
- 4 (dimethylamino)ethyl]indole; 5-MeO-DMT);
- 5 [~~(43)~~] (42) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine
- 6 (2C-E);
- 7 [~~(44)~~] (43) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine
- 8 (2C-D);
- 9 [~~(45)~~] (44) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine
- 10 (2C-C);
- 11 [~~(46)~~] (45) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);
- 12 [~~(47)~~] (46) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine
- 13 (2C-T-2);
- 14 [~~(48)~~] (47) 2-[4-(Isopropylthio)-2,5-
- 15 dimethoxyphenyl]ethanamine (2C-T-4);
- 16 [~~(49)~~] (48) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 17 [~~(50)~~] (49) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine
- 18 (2C-N);
- 19 [~~(51)~~] (50) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine
- 20 (2C-P);



1 ~~[(52)]~~ (51) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-
 2 methoxybenzyl)ethanamine, its optical, positional, and
 3 geometric isomers, salts, and salts of isomers (Other
 4 names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5);

5 ~~[(53)]~~ (52) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-
 6 methoxybenzyl)ethanamine, its optical, positional, and
 7 geometric isomers, salts, and salts of isomers (Other
 8 names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82); and

9 ~~[(54)]~~ (53) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-
 10 methoxybenzyl)ethanamine, its optical, positional, and
 11 geometric isomers, salts, and salts of isomers (Other
 12 names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36)."

13 2. By amending subsection (g) to read:

14 "(g) Any of the following cannabinoids, their salts,
 15 isomers, and salts of isomers, unless specifically excepted,
 16 whenever the existence of these salts, isomers, and salts of
 17 isomers is possible within the specific chemical designation:

18 ~~[(1) Tetrahydrocannabinols; meaning tetrahydrocannabinols~~
 19 ~~naturally contained in a plant of the genus Cannabis~~
 20 ~~(cannabis plant), as well as synthetic equivalents of~~
 21 ~~the substances contained in the plant, or in the~~



1 ~~resinous extractives of Cannabis, sp. or synthetic~~
2 ~~substances, derivatives, and their isomers with~~
3 ~~similar chemical structure and pharmacological~~
4 ~~activity to those substances contained in the plant,~~
5 ~~such as the following: Delta 1 cis or trans~~
6 ~~tetrahydrocannabinol, and their optical isomers; Delta~~
7 ~~6 cis or trans tetrahydrocannabinol, and their optical~~
8 ~~isomers; and Delta 3,4 cis or trans~~
9 ~~tetrahydrocannabinol, and its optical isomers (since~~
10 ~~nomenclature of these substances is not~~
11 ~~internationally standardized, compounds of these~~
12 ~~structures, regardless of numerical designation of~~
13 ~~atomic positions, are covered);~~

14 (2)] (1) Naphthoylindoles; meaning any compound containing
15 a 3-(1-naphthoyl)indole structure with substitution at
16 the nitrogen atom of the indole ring by a alkyl,
17 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
18 1-(N-methyl-2-piperidinyl)methyl or 2-(4-
19 morpholinyl)ethyl group, whether or not further
20 substituted in the indole ring to any extent and



1 whether or not substituted in the naphthyl ring to any
2 extent;

3 ~~[(3)]~~ (2) Naphthylmethylindoles; meaning any compound
4 containing a 1H-indol-3-yl-(1-naphthyl) methane
5 structure with substitution at the nitrogen atom of
6 the indole ring by a alkyl, haloalkyl, alkenyl,
7 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
8 piperidinyl) methyl or 2-(4-morpholinyl) ethyl group
9 whether or not further substituted in the indole ring
10 to any extent and whether or not substituted in the
11 naphthyl ring to any extent;

12 ~~[(4)]~~ (3) Naphthoylpyrroles; meaning any compound
13 containing a 3-(1-naphthoyl)pyrrole structure with
14 substitution at the nitrogen atom of the pyrrole ring
15 by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
16 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
17 2-(4-morpholinyl) ethyl group whether or not further
18 substituted in the pyrrole ring to any extent, whether
19 or not substituted in the naphthyl ring to any extent;

20 ~~[(5)]~~ (4) Naphthylmethylindenes; meaning any compound
21 containing a naphthylideneindene structure with



1 substitution at the 3-position of the indene ring by a
2 alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
3 cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or
4 2-(4-morpholinyl) ethyl group whether or not further
5 substituted in the indene ring to any extent, whether
6 or not substituted in the naphthyl ring to any extent;

7 [~~(6)~~] (5) Phenylacetylindoles; meaning any compound
8 containing a 3-phenylacetylindole structure with
9 substitution at the nitrogen atom of the indole ring
10 by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
11 cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or
12 2-(4-morpholinyl) ethyl group whether or not further
13 substituted in the indole ring to any extent, whether
14 or not substituted in the phenyl ring to any extent;

15 [~~(7)~~] (6) Cyclohexylphenols; meaning any compound
16 containing a 2-(3-hydroxycyclohexyl) phenol structure
17 with substitution at the 5-position of the phenolic
18 ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
19 cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or
20 2-(4-morpholinyl) ethyl group whether or not
21 substituted in the cyclohexyl ring to any extent;



- 1 [~~8~~] (7) Benzoylindoles; meaning any compound containing a
2 3-(benzoyl) indole structure with substitution at the
3 nitrogen atom of the indole ring by a alkyl,
4 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
5 1-(N-methyl-2-piperidinyl) methyl, or 2-(4-
6 morpholinyl) ethyl group whether or not further
7 substituted in the indole ring to any extent and
8 whether or not substituted in the phenyl ring to any
9 extent;
- 10 [~~9~~] (8) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)
11 pyrrolo[1,2,3-de]-1, 4-benzoxazin-6-yl]-1-
12 naphthalenylmethanone (another trade name is WIN
13 55,212-2);
- 14 [~~10~~] (9) (6a,10a)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-
15 methyloctan-2-yl)-6a,7,10,10a-
16 tetrahydrobenzo[c]chromen-1-ol (Other trade names are:
17 HU-210/HU-211);
- 18 [~~11~~] (10) Tetramethylcyclopropanoylindoles; meaning any
19 compound containing a 3-
20 tetramethylcyclopropanoylindole structure with
21 substitution at the nitrogen atom of the indole ring



1 by an alkyl, haloalkyl, cyanoalkyl, alkenyl,
2 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-
3 piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-
4 methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
5 morpholinyl)methyl, or tetrahydropyranylmethyl group,
6 whether or not further substituted in the indole ring
7 to any extent and whether or not substituted in the
8 tetramethylcyclopropyl ring to any extent;

9 ~~[(12)]~~ (11) N-(1-adamantyl)-1-pentyl-1H-indazole-3-
10 carboxamide, its optical, positional, and geometric
11 isomers, salts, and salts of isomers (Other names:
12 APINACA, AKB48);

13 ~~[(13)]~~ (12) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate,
14 its optical, positional, and geometric isomers, salts,
15 and salts of isomers (Other names: PB-22; QUPIC);

16 ~~[(14)]~~ (13) Quinolin-8-yl 1-(5fluoropentyl)-1H-indole-3-
17 carboxylate, its optical, positional, and geometric
18 isomers, salts, and salts of isomers (Other names:
19 5-fluoro-PB-22; 5F-PB-22);

20 ~~[(15)]~~ (14) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-
21 fluorobenzyl)-1H-indazole-3-carboxamide, its optical,



- 1 positional, and geometric isomers, salts, and salts of
2 isomers (Other names: AB-FUBINACA);
- 3 ~~[(16)]~~ (15) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
4 pentyl-1H-indazole-3-carboxamide, its optical,
5 positional, and geometric isomers, salts, and salts of
6 isomers (Other names: ADB-PINACA);
- 7 ~~[(17)]~~ (16) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-
8 (cyclohexylmethyl)-1H-indazole-3-carboxamide, its
9 optical, positional, and geometric isomers, salts, and
10 salts of isomers (Other names: AB-CHMINACA);
- 11 ~~[(18)]~~ (17) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-
12 1H-indazole-3-carboxamide, and geometric isomers,
13 salts, and salts of isomers (Other names: AB-PINACA);
- 14 ~~[(19)]~~ (18) [1-(5-fluoropentyl)-1H-indazol-3-yl] (naphthalen-
15 1-yl)methanone, and geometric isomers, salts, and
16 salts of isomers (Other names: THJ-2201);
- 17 ~~[(20)]~~ (19) Methyl (1-(4-fluorobenzyl)-1 H-indazole-3-
18 carbonyl)-L-valinate, and geometric isomers, salts,
19 and salts of isomers (Other names: FUB-AMB);
- 20 ~~[(21)]~~ (20) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-
21 carboxamido)-3-methylbutanoate, and geometric isomers,



1 salts, and salts of isomers (Other names: 5-fluoro-
2 AMB, 5-fluoro-AMP);

3 ~~[(22)]~~ (21) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-
4 fluoropentyl)-1H-indazole-3-carboxamide, and geometric
5 isomers, salts, and salts of isomers (Other names:
6 AKB48 N-(5-fluoropentyl) analog, 5F-AKB48, APINACA
7 5-fluoropentyl analog, 5F-APINACA);

8 ~~[(23)]~~ (22) N-adamantyl-1-fluoropentylindole-3-Carboxamide,
9 and geometric isomers, salts, and salts of isomers
10 (Other names: STS-135, 5F-APICA; 5-fluoro-APICA);

11 ~~[(24)]~~ (23) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-
12 carboxylate, and geometric isomers, salts, and salts
13 of isomers (Other names: NM2201);

14 ~~[(25)]~~ (24) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
15 (cyclohexylmethyl)-1H-indazole-3-carboxamide, and
16 geometric isomers, salts, and salts of isomers (Other
17 names: MAB-CHMINACA and ADB-CHMINACA);

18 ~~[(26)]~~ (25) Methyl 2-[1-(5-fluoropentyl)-1H-indazole-3-
19 carboxamido]-3,3-dimethylbutanoate (Other names:
20 5F-ADB, 5-flouoro-ADB, and 5F-MDMB-PINACA), its



1 optical, positional, and geometric isomers, salts, and
2 salts of isomers; and

3 [~~27~~] (26) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-
4 yl)indazole-3-carboxamide (CUMYL-4CN-BINACA), its
5 optical, positional, and geometric isomers, salts, and
6 salts of isomers; also known as SGT-78, 4-CN-CUMYL-
7 BINACA; CUMYL-CB-PINACA; CUMYL-CYBINACA; 4-cyano
8 CUMYL-BUTINACA."

9 SECTION 3. Section 329-22, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "§329-22 **Schedule V.** (a) The controlled substances
12 listed in this section are included in schedule V.

13 (b) Narcotic drugs containing nonnarcotic active medicinal
14 ingredients. Any compound, mixture, or preparation containing
15 limited quantities of any of the following narcotic drugs, which
16 also contains one or more nonnarcotic active medicinal ingredients
17 in sufficient proportion to confer upon the compound, mixture, or
18 preparation, valuable medicinal qualities other than those
19 possessed by the narcotic drug alone:

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



- 1 (2) Not more than 100 milligrams of dihydrocodeine, or any
2 of its salts, per 100 milliliters or per 100 grams;
- 3 (3) Not more than 100 milligrams of ethylmorphine, or any of
4 its salts, per 100 milliliters or per 100 grams;
- 5 (4) Not more than 2.5 milligrams of diphenoxylate and not
6 less than 25 micrograms of atropine sulfate per dosage
7 unit;
- 8 (5) Not more than 100 milligrams of opium per 100
9 milliliters or per 100 grams; and
- 10 (6) Not more than 0.5 milligram of difenoxin and not less
11 than 25 micrograms of atropine sulfate per 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



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-propylpyrrolidin-1-
8 yl]butanamide) (Other names: BRV; UCB-34714; Briviact)
9 and its salts.

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

16 (f) Marijuana. Any of the following cannabinoids, their
17 salts, isomers, and salts of isomers, unless specifically
18 excepted, whenever the existence of these salts, isomers, and
19 salts of isomers is possible within the specific chemical
20 designation: tetrahydrocannabinols; meaning
21 tetrahydrocannabinols naturally contained in a plant of the



1 genus Cannabis (cannabis plant), as well as synthetic
2 equivalents of the substances contained in the plant, or in the
3 resinous extractives of Cannabis, sp. or synthetic substances,
4 derivatives, and their isomers with similar chemical structure
5 and pharmacological activity to those substances contained in
6 the plant, such as the following: Delta 1 cis or trans
7 tetrahydrocannabinol, and their optical isomers; Delta 6 cis or
8 trans tetrahydrocannabinol, and their optical isomers; and Delta
9 3,4 cis or trans-tetrahydrocannabinol, and its optical isomers
10 (since nomenclature of these substances is not internationally
11 standardized, compounds of these structures, regardless of
12 numerical designation of atomic positions, are covered."

13 SECTION 4. Section 712-1249, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "§712-1249 Promoting a detrimental drug in the third
16 degree. (1) A person commits the offense of promoting a
17 detrimental drug in the third degree if the person knowingly
18 possesses any [~~marijuana or any~~] Schedule V substance in any
19 amount.

20 (2) Promoting a detrimental drug in the third degree is a
21 petty misdemeanor; provided that possession of [~~three~~] ten grams



1 or less of marijuana is a violation, punishable by a fine of
2 \$130."

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

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

8 SECTION 7. This Act shall take effect on August 26, 2050.



Report Title:

Marijuana; Schedule V; Penalties

Description:

Removes marijuana from Schedule 1 of the uniform controlled substances act and reclassifies it as a Schedule V drug. Increases the amount that qualifies as a violation of promoting a detrimental drug in the third degree from three grams to ten grams. Takes effect 8/26/2050. (SD1)

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

