

STAND. COM. REP. NO.

2842

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 3141
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3141, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT,"

begs leave to report as follows:

The purpose and intent of this measure is to update the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes, to make it consistent with amendments in federal controlled substances law as required by section 329-11, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Public Safety.

Your Committee finds that section 329-11, Hawaii Revised Statutes, provides that if a substance is added, deleted, or rescheduled by an emergency scheduling action taken by the Department of Public Safety or under federal law, then the Department of Public Safety shall recommend to the Legislature to make the corresponding changes in Hawaii law. In 2021, the Department of Public Safety temporarily designated many new controlled substances pursuant to section 329-11, Hawaii Revised Statutes, and those substances are listed in this measure. Your Committee further finds that this measure amends chapter 329, Hawaii Revised Statutes, to mirror recent changes to the federal



Controlled Substances Act, thereby eliminating differences between federal and state law and avoiding nullification of the controlled substances that were temporarily designated in 2021. This measure will prevent the nullification of the Department of Public Safety's temporary designation of new controlled substances by updating chapter 329, Hawaii Revised Statutes, to incorporate amendments made to the federal Controlled Substances Act.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3141, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

| | | | | |
|--|---------------------|----------|-----|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SB 3141, SDI | PSM, JDC | 02-25-22 | | |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: | | | | |
| <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| RHOADS, Karl (C) | ✓ | | | |
| KEOHOKALOLE, Jarrett (VC) | | | | ✓ |
| ACASIO, Laura | ✓ | | | |
| GABBARD, Mike | ✓ | | | |
| KIM, Donna Mercado | ✓ | | | |
| LEE, Chris | ✓ | | | |
| FEVELLA, Kurt | ✓ | | | |
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| TOTAL | 6 | - | - | 1 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: <i>Karl Rhoads</i> | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes