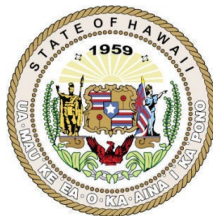


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No.

TESTIMONY ON HOUSE BILL 1097, HOUSE DRAFT (HD) 2
RELATING TO CONTROLLED SUBSTANCES

Before the Senate Committee on Judiciary

Friday, March 17, 2023; 10:00 a.m.

State Capitol Conference Room 016, Via Videoconference

WRITTEN TESTIMONY ONLY

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

The Department of Law Enforcement (DLE) **supports** House Bill (HB) 1097, HD 2, which updates chapter 329 of the Hawaii Revised Statutes (HRS), to incorporate amendments made to the federal Controlled Substances Act that were temporarily permitted in Hawaii by the temporary designation of several new controlled substances by PSD in 2022. Under section 329-11(d) and (e), HRS, PSD's temporary designation of new controlled substances shall be nullified if the next regular session of the State Legislature has not made the corresponding changes to state law.

Sections 329-11(d) and (e), HRS, provide that if a substance is added, deleted, or rescheduled under federal law, or by an emergency scheduling action taken by PSD, then PSD shall recommend to the Legislature to make the corresponding changes in Hawaii law. In 2022, PSD temporarily designated many new controlled substances, and those substances are listed in HB 1097, HD 2.

DLE Testimony on HOUSE BILL 1097, HD 2
RELATING TO CONTROLLED SUBSTANCES
March 16, 2023
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HB 1097, HD 2, also amends chapter 329, HRS, 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 2022.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, MD
GOVERNOR



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Michael Hoffman
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Corrections

William Oku, Jr.
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE BILL 1097, HOUSE DRAFT (HD) 2
RELATING TO CONTROLLED SUBSTANCES

By

Tommy Johnson, Director

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Friday, March 17, 2023; 10:00 a.m.
Via Videoconference

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

The Department of Public Safety (PSD) **supports** House Bill (HB) 1097, HD 2, which updates chapter 329 of the Hawaii Revised Statutes (HRS), to incorporate amendments made to the federal Controlled Substances Act that were temporarily permitted in Hawaii by the temporary designation of several new controlled substances by PSD in 2022. Under section 329-11(d) and (e), HRS, PSD's temporary designation of new controlled substances shall be nullified if the next regular session of the State Legislature has not made the corresponding changes to state law.

Sections 329-11(d) and (e), HRS, provide that if a substance is added, deleted, or rescheduled under federal law, or by an emergency scheduling action taken by PSD, then PSD shall recommend to the Legislature to make the corresponding changes in Hawaii law. In 2022, PSD temporarily designated many new controlled substances, and those substances are listed in HB 1097, HD 2.

HB 1097, HD 2, also amends chapter 329, HRS, 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 2022.

Thank you for the opportunity to testify on this measure.