H.B. NO. 2445

A BILL FOR AN ACT

RELATING TO THE TESTING OF CANNABIS AND MANUFACTURED CANNABIS PRODUCTS.

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

SECTION 1. The purpose of this Act is to require the office of medical cannabis control and regulation of the department of health to implement a post-market testing program to verify the labeling on cannabis and manufactured cannabis products and monitor the shelf lives of cannabis and manufactured cannabis products.

SECTION 2. Section 329D-8, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The department shall establish and enforce standards for laboratory-based testing of cannabis and manufactured cannabis products for content, contamination, and consistency; provided that in establishing and enforcing these standards, the department shall:

(1) Review and take guidance from the testing programs and standards utilized in other jurisdictions;

(2) Consider the impact of the standards on the retail cost of the product to the qualifying patient;

(3) Review and take guidance from the testing programs and standards for pesticides under the regulations of the United States Environmental Protection Agency;

(4) Consider processes that may allow cannabis or manufactured cannabis products that fail testing standards to be remediated;

(5) For the testing for microbiological impurities, consider the benefits of organically grown cannabis that features the use of bacteria in lieu of pesticides; [~~and~~]

(6) Include permission for qualifying patients and primary caregivers to obtain testing services directly from certified laboratories on the island where the qualifying patient and primary caregiver reside[~~.~~]; and

(7) Purchase cannabis and manufactured cannabis products from dispensaries randomly for the purpose of conducting post-market testing of cannabis and manufactured cannabis products. The testing shall be conducted to:

(A) Verify labeling on cannabis and manufactured cannabis products; and

(B) Monitor the shelf lives of cannabis and manufactured cannabis products."

SECTION 3. There is appropriated out of the medical cannabis registry and regulation special fund the sum of $_____ or so much thereof as may be necessary for fiscal year 2024-2025 for the implementation of the post-marketing testing program as required by this Act.

The sum appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act, upon its approval, shall take effect on July 1, 2024.

INTRODUCED BY: _____

BY REQUEST

JAN 22 2024

H.B. NO. 2445

Report Title:
Department of Health; Cannabis and Manufactured Cannabis Products; Post-market Testing; Appropriation

Description:
Requires the Department of Health to implement a post-market testing program to verify the labeling on cannabis and manufactured cannabis products and monitor the shelf lives of cannabis and manufactured cannabis products.

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

H.B. NO. 2445

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO THE TESTING OF CANNABIS AND MANUFACTURED CANNABIS PRODUCTS.

PURPOSE: To require the Department of Health to implement a post-market testing program to verify the labeling on cannabis and manufactured cannabis products and monitor the shelf lives of cannabis and manufactured cannabis products.

MEANS: Amend section 329D-8(a), Hawaii Revised Statutes.

JUSTIFICATION: The post-market testing will promote better quality control of cannabis and manufactured cannabis products for qualifying patients.

Impact on the public: The bill would improve the product safety of cannabis and manufactured cannabis products by requiring the Department of Health to conduct post-market testing.

Impact on the department and other agencies: None.

GENERAL FUND: None.

OTHER FUNDS: $_____ from the Medical Cannabis Registry and Regulation Special Fund.

PPBS PROGRAM DESIGNATION: HTH-560.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: July 1, 2024.