

JAN 18 2024

A BILL FOR AN ACT

RELATING TO MEDICAL CANNABIS.

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

1 SECTION 1. The legislature finds that restricting the
2 interisland transportation of cannabis by patients for their
3 personal medical use is contrary to the intent of Hawaii laws
4 that authorize qualifying patients to use medical cannabis.

5 Accordingly, the purpose of this Act is to protect the
6 rights of qualifying patients to use medical cannabis by
7 specifically authorizing the interisland transportation of
8 cannabis for personal medical use.

9 SECTION 2. Section 329-122, Hawaii Revised Statutes, is
10 amended by amending subsection (f) to read as follows:

11 "(f) For the purposes of this section, "transport" means
12 the transportation of cannabis, usable cannabis, or any
13 manufactured cannabis product between:

14 (1) A qualifying patient and the qualifying patient's
15 primary caregiver;



- 1 (2) A qualifying out-of-state patient under eighteen years
2 of age and the caregiver of a qualifying out-of-state
3 patient;
- 4 (3) The production centers and the retail dispensing
5 locations under a dispensary licensee's license;
- 6 (4) Dispensaries, to the extent authorized by section
7 329D-6(r); or
- 8 (5) A production center, retail dispensing location,
9 qualifying patient, primary caregiver, qualifying out-
10 of-state patient, or caregiver of a qualifying out-of-
11 state patient and a certified laboratory for the
12 purpose of laboratory testing; provided that a
13 qualifying patient, primary caregiver, qualifying out-
14 of-state patient, or caregiver of a qualifying out-of-
15 state patient may only transport up to one gram of
16 cannabis per test to a certified laboratory for
17 laboratory testing and may only transport the product
18 if the qualifying patient, primary caregiver,
19 qualifying out-of-state patient, or caregiver of a
20 qualifying out-of-state patient:



- 1 (A) Secures an appointment for testing at a certified
- 2 laboratory;
- 3 (B) Obtains confirmation, which may be electronic,
- 4 that includes the specific time and date of the
- 5 appointment and a detailed description of the
- 6 product and amount to be transported to the
- 7 certified laboratory for the appointment; and
- 8 (C) Has the confirmation, which may be electronic,
- 9 available during transport.

10 For purposes of interisland transportation, "transport" of
11 cannabis, usable cannabis, or any manufactured cannabis product,
12 by any means is allowable only by a qualifying patient or
13 qualifying out-of-state patient for the patient's personal
14 medical use, between dispensaries to the extent authorized by
15 section 329D-6(r) [~~and~~], or between a production center or
16 retail dispensing location and a certified laboratory for the
17 sole purpose of laboratory testing pursuant to section 329D-8,
18 as permitted under section 329D-6(m) and subject to section
19 329D-6(j), and with the understanding that state law and its
20 protections do not apply outside of the jurisdictional limits of
21 the State. [~~Allowable transport pursuant to this section does~~



1 ~~not include interisland transportation by any means or for any~~
2 ~~purpose between a qualifying patient, primary caregiver,~~
3 ~~qualifying out of state patient, or caregiver of a qualifying~~
4 ~~out of state patient and any other entity or individual,~~
5 ~~including an individual who is a qualifying patient, primary~~
6 ~~caregiver, qualifying out of state patient, or caregiver of a~~
7 ~~qualifying out of state patient.] "~~

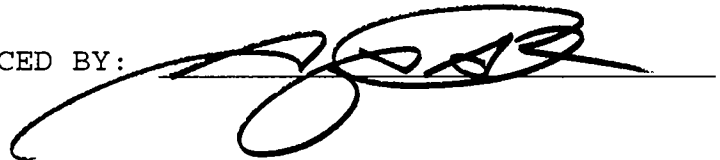
8 SECTION 3. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun before its effective date.

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

13 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be "J. D. A. B.", written over a horizontal line.

S.B. NO. 2248

Report Title:

Cannabis; Medical Use; Interisland Transportation; Authorization

Description:

Authorizes qualifying patients and qualifying out-of-state patients to transport cannabis between islands of the State for personal medical use.

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

