



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB1782
RELATING TO HEMP**

REPRESENTATIVE CEDRIC ASUEGA GATES, CHAIR
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

Hearing Date: 02/14/2024

Room Number: 325

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (department) supports this measure as it
3 will allow the department to meet the legislative intent of Act 263, Session Laws of Hawaii
4 2023, to conduct criminal history checks on consenting hemp processor applicants. Act 263
5 provided two options by which a hemp processor applicant can satisfy the criminal background
6 check requirement:

- 7 1. Agree to and pass fingerprint and criminal background check by the department, or
8 2. Submit a valid USDA license to grow hemp to the department during the application
9 process.

10 Currently, because the department does not have the authority to conduct criminal history checks
11 on consenting hemp processor applicants, only those applicants who have satisfactorily passed a
12 criminal background check to obtain a USDA license to grow hemp can apply to be a permitted
13 hemp processor (option #2).

14 Amending section 846-2.7, Hawaii Revised Statutes (HRS), as proposed by this measure will
15 allow the department to conduct the fingerprinting and criminal history record checks required
16 on those applying under option #1 above. Without this amendment, the department will be
17 unable to issue hemp processor permits to those applicants who do not have a valid USDA
18 license to grow hemp.

1 Note:

2 An agency can conduct a state or national criminal history record check only after the Federal
3 Bureau of Investigation – Office of the General Counsel Criminal Justice Information Law Unit
4 approves the proposed statutory language in section 847-2.7, HRS. The department requested an
5 expedited review of the amendments to section 846-2.7 and is currently waiting for a response.

6 **Offered Amendments:** None.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

**WEDNESDAY, FEBRUARY 14, 2024
9:15 AM
CONFERENCE ROOM 325 AND VIDEOCONFERENCE**

**HOUSE BILL NO. 1782
RELATING TO HEMP**

Chair Gates, Vice Chair Kahaloa, and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 1782. This measure makes a conforming amendment to allow the Department of Health (DOH) or its designee, to conduct criminal history record checks on applicants for hemp processor permits. The Hawaii Department of Agriculture (HDOA) supports the intent of this bill, however, defers to DOH and offers comments.

HDOA regulates buffer zones of hemp farms and the transport of hemp materials while DOH regulates hemp products and hemp processing within the state. HDOA understands that hemp farmers applying for hemp processor's permit are exempt from additional criminal history record checks if they have a valid USDA hemp producer license.

Thank you for the opportunity to testify on this measure.



HB-1782

Submitted on: 2/12/2024 4:57:29 PM

Testimony for AGR on 2/14/2024 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

RELATING TO HEMP.

Makes a conforming amendment to allow the Department of Health, or its designee, to conduct criminal history record checks on applicants for hemp processor permits