



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Written
Testimony Only

**Testimony in SUPPORT of HB2444 HD1 SD1
RELATING TO CRIMINAL HISTORY RECORD CHECKS**

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: 04/04/2024

Room Number: 016

1 **Fiscal Implications:** N/A.

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

1 unable to issue hemp processor permits to those applicants who do not have a valid USDA
2 license to grow hemp.

3 Note:

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

8 **Offered Amendments:** None.

HB-2444-SD-1

Submitted on: 4/3/2024 10:52:45 AM

Testimony for JDC on 4/4/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Olderr	Individual	Oppose	Written Testimony Only

Comments:

I don't think a criminal background check is necessary for hemp processing. Let's not exclude anyone from working in this new industry.