
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO CONDUCT A
STUDY TO DETERMINE IF XYLAZINE TESTING STRIPS SHOULD BE
EXCLUDED FROM THE STATE'S DEFINITION OF DRUG PARAPHERNALIA.

1 WHEREAS, xylazine is a non-opiate sedative, analgesic, and
2 muscle relaxant that has been only approved by the United States
3 Food and Drug Administration for veterinary use; and
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5 WHEREAS, xylazine has been increasingly identified as a
6 cutting agent or adulterant in the illicit drug supply, often
7 mixed with fentanyl, which increases the risk of a fatal drug
8 overdose; and
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10 WHEREAS, as of November 2022, xylazine was found in the
11 illicit drug supply in forty-eight of fifty states and is
12 currently associated with one in ten fatal fentanyl overdoses;
13 and
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15 WHEREAS, although symptoms of xylazine use and opioid use
16 are similar, overdose reversal agents such as naloxone do not
17 counteract the effects of xylazine; and
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19 WHEREAS, there is currently no drug approved by the Food
20 and Drug Administration to reverse the effects of xylazine in
21 humans; and
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23 WHEREAS, in 2023, multiple states considered legislation to
24 schedule xylazine as a controlled substance; and
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26 WHEREAS, historically state drug paraphernalia laws have
27 prohibited the possession of drug-checking equipment, such as
28 fentanyl test strips, which can be used by a person who uses
29 drugs to test their supply for an adulterated substance; and
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1 WHEREAS, in order to combat overdose deaths from drugs
2 adulterated by fentanyl, legislatures across the country have
3 altered their drug paraphernalia laws to either explicitly
4 legalize fentanyl test strips or generally legalize drug-
5 checking equipment; and

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7 WHEREAS, similar steps should be taken to combat the rise
8 of drugs adulterated by xylazine; now, therefore,

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10 BE IT RESOLVED by the House of Representatives of the
11 Thirty-second Legislature of the State of Hawaii, Regular
12 Session of 2024, the Senate concurring, that the Department of
13 the Attorney General is requested to conduct a study to
14 determine if xylazine testing strips should be excluded from the
15 State's definition of drug paraphernalia; and

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17 BE IT FURTHER RESOLVED that the Department of the Attorney
18 General is requested to submit a report of its study, including
19 findings and recommendations, and any proposed legislation, to
20 the Legislature no later than twenty days prior to the convening
21 of the Regular Session of 2025; and

22
23 BE IT FURTHER RESOLVED that a certified copy of this
24 Concurrent Resolution be transmitted to the Attorney General.
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OFFERED BY:

Trish Le Chica

MAR 08 2024

