

JAN 25 2023

A BILL FOR AN ACT

RELATING TO FENTANYL.

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

1 SECTION 1. The legislature finds that fentanyl poses a
2 grave threat to the health and safety of the residents of
3 Hawaii. Fentanyl is a type of synthetic opioid that has been a
4 major cause of drug overdose deaths in the United States. In
5 2021, more than one hundred thousand people died from opioid
6 overdoses in the United States, and of these deaths, the Centers
7 for Disease Control and Prevention estimates over seventy-one
8 thousand were from fentanyl. The increase in overdose deaths
9 from 2020 to 2021 represents a nearly fifteen per cent increase.
10 The legislature also finds that historically, Hawaii has
11 suffered from multiple drug epidemics. A report from 2002
12 discussed the various illegal drug threats to the State,
13 including methamphetamine, marijuana, heroine, cocaine, and
14 other dangerous drugs. In order to address the presence of
15 drugs and illicit substances in the community, it is imperative
16 that the legislature take action against opioids.



1 The purpose of this Act is to establish the class A felony
2 offense of possession, production, or distribution of fentanyl.

3 SECTION 2. Section 712, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§712- Fentanyl possession, production, or
7 distribution. (1) A person commits the offense of fentanyl
8 possession if the person knowingly possesses, produces, or
9 distributes fentanyl in any amount.

10 (2) Fentanyl possession is a class A felony."

11 SECTION 3. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY:  _____



S.B. NO. 1431

Report Title:

Fentanyl Possession; Class A Felony

Description:

Establishes the offense of Fentanyl possession, production, or distribution as a Class A felony.

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