

JAN 19 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 amendments to the
2 State's medical cannabis dispensary program law are necessary to
3 facilitate the administration of the medical cannabis dispensary
4 program and resolve matters that have arisen since the passage
5 of Act 309, Session Laws of Hawaii 2022, and Act 108, Session
6 Laws of Hawaii 2023.

7 SECTION 2. Section 329D-6, Hawaii Revised Statutes, is
8 amended by amending subsection (r) to read as follows:

9 "(r) A dispensary may purchase cannabis and manufactured
10 cannabis products from another dispensary. The department [may]
11 shall authorize a dispensary to purchase cannabis and
12 manufactured cannabis products from another dispensary in a
13 manner prescribed by the department by rules adopted pursuant to
14 section 329D-27; provided that:

15 ~~[(1) The purchasing dispensary establishes to the~~
16 ~~department's satisfaction that:~~



1 "(a) The types of medical cannabis products that a
2 dispensary may [~~be manufactured and distributed~~] manufacture and
3 distribute pursuant to this chapter shall be limited to:

4 (1) Capsules;

5 (2) Lozenges;

6 (3) Pills;

7 (4) Oils and oil extracts;

8 (5) Tinctures;

9 (6) Ointments and skin lotions;

10 (7) Transdermal patches;

11 (8) Pre-filled and sealed containers used to aerosolize
12 and deliver cannabis orally or by inhalation, such as
13 an inhaler, nebulizer, or device that provides safe
14 pulmonary administration; provided that:

15 (A) Containers need not be manufactured by the
16 licensed dispensary but shall be filled with
17 cannabis, cannabis oils, or cannabis extracts
18 manufactured by the licensed dispensary or
19 purchased from another dispensary pursuant to
20 section 329D-6(r); but shall not contain



1 nicotine, tobacco-related products, or any other
2 non-cannabis derived products; and

3 (B) For devices that provide safe pulmonary
4 administration:

5 (i) The heating element of the device, if any,
6 shall be made of inert materials such as
7 glass, ceramic, or stainless steel, and not
8 of plastic or rubber;

9 (ii) The device shall be distributed solely for
10 use with single-use, pre-filled, tamper-
11 resistant, sealed containers that do not
12 contain nicotine or other tobacco products;

13 (iii) There shall be a temperature control on the
14 device that is regulated to prevent the
15 combustion of cannabis oil; and

16 (iv) The device need not be manufactured by the
17 licensed dispensary;

18 (9) Pre-rolled cannabis flower products, as specified by
19 the department;

20 (10) Edible cannabis products, as specified by the
21 department; and

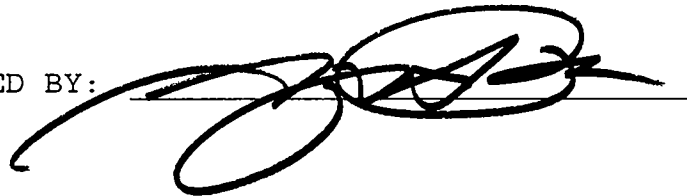


1 (11) Other products as specified by the department."
2 2. By amending subsection (d) to read:
3 "(d) Any medical cannabis product manufactured and
4 distributed pursuant to this chapter shall be regulated and
5 approved by the department and meet all requirements of rules
6 adopted pursuant to this chapter; provided that the department
7 shall establish requirements for child-resistant packaging and
8 accurate and proper labeling. All rules pursuant to this
9 section shall be adopted no later than nine months after a
10 product is permitted to be manufactured and distributed pursuant
11 to subsection (a). If no rules are adopted, dispensaries may
12 distribute medical cannabis products in compliance with this
13 chapter."

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.
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INTRODUCED BY:

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S.B. NO. 2461

Report Title:

DOH; Medical Cannabis; Transportation; Dispensaries; Rules

Description:

Amends the circumstances under which medical cannabis may be transported by and between dispensaries. Requires the Department of Health to adopt rules.

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

