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# A BILL FOR AN ACT

RELATING TO CANNABIS.

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

1           SECTION 1. Chapter 328J, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§328J-       Cannabis; prohibitions.   Smoking of cannabis  
5 shall be prohibited in any area accessible by the public,  
6 including but not limited to:

- 7           (1) On any school grounds;
- 8           (2) At any public park, public beach, public recreation  
9           center, recreation or youth center;
- 10          (3) In or on any land, facility, building, or vehicle  
11          owned, controlled, or operated by the State or any  
12          county;
- 13          (4) In or on any federal fort or arsenal, national park or  
14          forest, any other federal enclave, or any other  
15          property owned, controlled, or operated by the federal  
16          government; or



1        (5) Any other place where smoking is prohibited by this  
2                    chapter."

3            SECTION 2. Section 328J-1, Hawaii Revised Statutes, is  
4 amended as follows:

5            1. By adding a new definition to be appropriately inserted  
6 and to read:

7            "Cannabis" shall have the same meaning as in section 329-  
8 121."

9            2. By amending the definition of "smoke" or "smoking" to  
10 read:

11            "'Smoke" or "smoking" means inhaling, exhaling, burning, or  
12 carrying any lighted or heated tobacco product, cannabis, or  
13 plant product intended for inhalation in any manner or in any  
14 form. "Smoking" includes the use of an electronic smoking  
15 device."

16            SECTION 3. Section 329-122, Hawaii Revised Statutes, is  
17 amended by amending subsection (e) to read as follows:

18            "(e) The authorization for the medical use of cannabis in  
19 this section shall not apply to:

20            (1) The medical use of cannabis that endangers the health  
21                    or well-being of another person;



- 1           (2) The medical use of cannabis:
- 2           (A) In a school bus, public bus, or any moving
- 3           vehicle;
- 4           (B) In the workplace of one's employment;
- 5           (C) On any school grounds;
- 6           (D) At any public park, public beach, public
- 7           recreation center, recreation or youth center; or
- 8           (E) At any other place open to the public; provided
- 9           that a qualifying patient, primary caregiver,
- 10          qualifying out-of-state patient, caregiver of a
- 11          qualifying out-of-state patient, or an owner or
- 12          employee of a medical cannabis dispensary
- 13          licensed under chapter 329D shall not be
- 14          prohibited from transporting cannabis or any
- 15          manufactured cannabis product, as that term is
- 16          defined in section 329D-1, in any public place;
- 17          provided further that the cannabis or
- 18          manufactured cannabis product shall be
- 19          transported in a sealed container, not be visible
- 20          to the public, and shall not be removed from its



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1                   sealed container or consumed or used in any way  
2                   while it is in the public place; [~~and~~]

3           (3) The use of cannabis by a qualifying patient, parent,  
4           primary caregiver, qualifying out-of-state patient, or  
5           caregiver of a qualifying out-of-state patient, for  
6           purposes other than medical use permitted by this  
7           part[~~-~~]; and

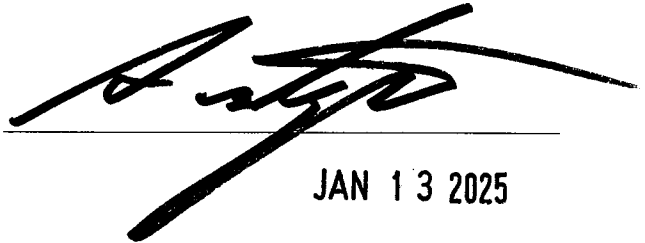
8           (4) Smoking cannabis in public, including through the use  
9           of an electronic smoking device, as prohibited by  
10           section 328J- ."

11           SECTION 4. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13           SECTION 5. This Act shall take effect on July 1, 2025.

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INTRODUCED BY:

  
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JAN 13 2025



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**Report Title:**

Cannabis; Cannabis for Medical Use; Smoking; Prohibitions;  
Public Places

**Description:**

Prohibits the smoking of cannabis and the smoking of cannabis for medical use, including via an electronic smoking device, in any area accessible by the public.

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

