

ACT 169

S.B. NO. 1139

A Bill for an Act Relating to the Office of Medical Cannabis Control and Regulation.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that Act 159, Session Laws of Hawaii 2018, established the office of medical cannabis control and regulation under the health resources administration of the department of health to administer medical cannabis dispensary licensure and regulation pursuant to chapter 329D, Hawaii Revised Statutes, and the registration of qualifying patients and primary caregivers pursuant to chapter 329, part IX, Hawaii Revised Statutes.

The purpose of this Act is to:

- (1) Authorize the department of health to adopt administrative rules to establish patient registration fees beginning in fiscal year 2022; and
- (2) Establish a task force to explore the issues and development of a dual system program of legalization for cannabis and the impacts of legalization on qualifying patients, including access to medical marijuana by qualifying patients.

SECTION 2. Section 329-123, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Qualifying patients shall register with the department of health. The registration shall be effective until the expiration of the certificate issued by the department of health and signed by the physician or advanced practice registered nurse. Every qualifying patient shall provide sufficient identifying information to establish the personal identities of the qualifying patient and the primary caregiver. Qualifying patients shall report changes in information within ten working days. Every qualifying patient shall have only one primary caregiver at any given time. The department of health shall issue to the qualifying patient a registration certificate[,] and [shall] may charge [\$35 per year.] a fee for the certificate in an amount adopted by rules pursuant to chapter 91.”

SECTION 3. Section 329-123.5, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) Each qualifying out-of-state patient shall pay a fee [~~of \$45~~] in an amount established by rules adopted by the department pursuant to chapter 91 for each registration and renewal.”

SECTION 4. (a) The office of medical cannabis control and regulation shall convene a task force to explore the development of a dual system program of the legalization for cannabis and the impacts of legalization of cannabis on qualifying patients, including access to medical cannabis by qualifying patients.

(b) The office of medical cannabis control and regulation shall submit a report of its findings and recommendations, including any proposed legislation,

to the legislature no later than twenty days prior to the convening of the regular session of 2023.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved July 1, 2021.)