



# 2017 Hawai'i's Cannabis Industry Legislation

The Alliance is hard at work keeping alive the bills important to you as businesses and patients, and ushering away bills that harm industry growth.

Join the Alliance today to find out how you can support our efforts and make your voice heard to the legislature on the issues that matter to you!

You can read each bill at:  
[capitol.hawaii.gov](http://capitol.hawaii.gov).

HDA Supports =	
Currently Dead =	

## Physicians

- HB 922:** Requires DCCA to submit annual report regarding physician discipline related to medical marijuana certifications. (Oshiro) (HLT, CPC/JUD, FIN)
- SB 174:** Amends the definition of debilitating medical condition to include lupus, epilepsy, multiple sclerosis, arthritis, autism, anxiety, depression, insomnia, and stress. (Espero, English, Ruderman, S. Chang, Dela Cruz, Gabbard, Galuteria, Kidani) (CPH, JDL)









## Patients/Community

- HB 37/SB 786:** Substitute references to "medical marijuana" and like terms with "medical cannabis" and like terms in all government documents. (Nishimoto, Thielen, House) (GABBARD, KIDANI, K. RHOADS, RUDERMAN, Baker, S. Chang, Ihara, Kim, Nishihara, Riviere, Senate)
- HB 48:** Requires the department of health to adopt rules to prohibit the manufacture and sale of marijuana products that are shaped or manufactured to appeal to children. (Oshiro, Aquino, Choy, Creagan, Kong, Mizuno, Onishi, Cachola, DeCoite, Ito, Nakashima, Say, Souki, Takayama, Takumi)
- HB 194/SB 845:** Authorizes certification and regulation of medical marijuana collectives comprising qualifying patients. (San Buenaventura, Creagan, Lopresti, McKelvey, House) (Ruderman, Gabbard, Senate)
- HB 836:** Authorizes the interisland transportation of marijuana by medicinal marijuana patients and primary caregivers. Authorizes certified laboratories to test marijuana received from patients and primary caregivers. (San Buenaventura, Belatti, Creagan, Evans, McKelvey, Oshiro)
- SB 173:** Omnibus clarification bill - plant definition for patients, reinstates caregiver program past 2018, allows edibles. (Espero, Ruderman, Gabbard, Galuteria)
- SB 825:** Exempts qualifying patients who are veterans of the United States military from medical marijuana registration fees. (Ruderman, Nishihara, Gabbard, Ihara)
- SB 1245:** Authorizes certified laboratories to test marijuana received from patients and primary caregivers. (Espero, English, Galuteria, Ruderman, S. Chang, Nishihara, Wakai)


## Decriminalization

- HB 107:** Decriminalizes and establishes civil adjudatory proceedings at the district court level for the possession of one ounce or less of marijuana. (Souki)
- HB 170/SB 120:** Requires the Department of Public Safety to reassess the classification of marijuana as a Schedule I drug (San Buenaventura, Evans, Keohokalole, C. Lee, Morikawa, Ohno, Kobayashi, House) (K. Rhoads, Senate)
- HB 344/SB 168:** Amends penalties pertaining to certain medical marijuana prohibitions. Repeals certain medical marijuana prohibitions. Re-intro of HB1829. (Souki, House) (Espero (Introduced by request of another party) Ruderman, Senate)
- HB 1010:** Makes it unlawful for any employer to suspend, discharge, or discriminate against any of the employer's employees based on the individual's status as a registered qualifying patient under the Medical Use of Marijuana Law. (Hashem, Belatti)
- HB 1463:** Repeals criminal penalties for possession of marijuana, but retains penalties for marijuana cultivation and distribution. (San Buenaventura, Brower, Creagan, Decoite, Ing, Keohokalole, McKelvey, Mizuno, Quinlan, Todd, Gates)
- HB 1501:** Changes drug paraphernalia possession and delivery offenses from felonies to civil violations. (SAN BUENAVENTURA, CREAGAN, EVANS, MIZUNO, NISHIMOTO, TODD, WOODSON, Brower, DeCoite)
- HB 1538:** Prohibits the provision of marijuana and related compounds to minors under 18. Authorizes cultivation of marijuana on private property under certain conditions. Repeals other criminal penalties related to possession, cultivation, distribution, and use of marijuana and related compounds. (Souki (Introduced by request of another party))
- HB 1539/SB 1219:** Creates a criminal penalty with respect to the selling or furnishing of intoxicating compounds created from marijuana or marijuana concentrates to minors. Allows the growing of marijuana plants for personal use on lands zoned for residential use or agriculture. Removes certain references to and criminal penalties under the penal code. (Souki (Introduced by request of another party), House) (Kouchi (Introduced by request of another party), Senate)
- SB 16:** Decriminalizes the possession of one ounce or less of marijuana. (Green, K. Rhoads, Ruderman, S. Chang, Galuteria)
- SB 17:** Establishes, for cases of marijuana, a minimum blood concentration content of tetrahydrocannabinol for the offense of driving under the influence of intoxicants. (Green)
- SB 1093:** Establishes that state medical use of marijuana as defined in section 329-121, HRS, does not violate the federal classification of marijuana or federal marijuana regulations. (Gabbard, Espero, Baker, S. Chang, Shimabukuro)


## Industry


-  **HB 205:** Authorizes persons 21 years of age or older to consume or possess limited amounts of marijuana for personal use. Provides for the licensing of marijuana cultivation facilities, product manufacturing facilities, safety testing facilities, and retail stores. Applies an excise tax. (Souki (Introduced by request of another party))
-  **HB 251/SB 814:** Authorizes the counties to adopt ordinances to legalize marijuana cultivation, possession, sale, transfer, and use, for persons over the age of twenty-one. Clarifies that penal code provisions pertaining to drug and intoxicating compounds offenses do not apply to counties. (Creagan, Ing, C. Lee, San Buenaventura, Thielen, Tupola, House) (Ruderman, Green, Espero, Ihara, Senate)
-  **HB 449:** Legalizes under state law the growing, processing, possession, transfer, and personal use of marijuana to persons at least twenty-one years of age. Requires licensing to operate marijuana establishments. Specifies the application and non-application of the Internal Revenue Code to expenses related to the production and sale of marijuana and marijuana. Specifies that amounts received for the sale of marijuana or marijuana products are not exempt from the state general excise tax. Establishes a tax on the sale of marijuana, marijuana products, and manufactured marijuana products. Establishes an education special fund, into which marijuana tax revenues are to be deposited. (Ing, Creagan, Gates)
-  **HB 570:** Short form bill relating to medical marijuana. (Belatti)
-  **HB 1358/SB 169:** Allows the possession and distribution of marijuana or marijuana concentrate for personal use; provided that the amount of marijuana or marijuana concentrate does not exceed one ounce and is used for private, personal, or recreational purposes by persons twenty-one years of age or older. Creates a defense to a marijuana-related offense if the marijuana or marijuana concentrate was for personal use. (Souki (Introduced by request of another party), House) (Espero (Introduced by request of another party), Senate)
-  **HB 1360/SB 1149:** Expands the range of manufactured medical marijuana products that may be produced and sold to include certain edible products. Authorizes eight companies to partner with medical marijuana dispensaries to produce manufactured marijuana products, subject to certain conditions. (Souki, Belatti, House) (English, Espero, Galuteria, Keith-Agaran, Nishihara, S. Chang, Inouye, Shimabukuro, Taniguchi, Wakai, Senate)
-  **HB 1464:** Authorizes persons 21 years of age or older to consume or possess limited amounts of marijuana for personal use. Provides for the licensing of marijuana cultivation facilities, product manufacturing facilities, safety testing facilities, and retail stores. Applies an excise tax. (San Buenaventura, Creagan, Decoite, Ing, C. Lee, Mckelvey, Mizuno, Souki, Thielen, Todd)
-  **SB 548:** Legalizes the personal use, possession, and sale of marijuana in a specified quantity. Requires licensing to operate marijuana establishments. Subjects marijuana


establishments to excise taxes and income taxes. (English, Ihara, K. Rhoads, Ruderman, S. Chang, Dela Cruz, Espero, Gabbard, Galuteria, Wakai)

**SB 575:** Requires the Legislative Reference Bureau to study various effects that the legalization of marijuana have had on other states. Appropriates funds. (Espero, Keith-Agaran, Ruderman, Gabbard, Shimabukuro) 


## Dispensaries


**HB 108/SB 319:** Establishes the marijuana dispensary special fund and requires DOTAX to transfer into the fund each year for enforcement purposes 15 per cent of general excise tax revenues from medical marijuana dispensaries. (Souki (Introduced by request of another party), House) ((Keith-Agaran, Dela Cruz, Nishihara, K. Rhoads, Gabbard, Tokuda, Senate) 


**HB 263:** Establishes a tax on all marijuana and marijuana related products sold by licensed medical marijuana dispensaries. (Saiki) 


**HB 661:** Limits tetrahydrocannabinol levels. Requires warning labels. (Oshiro, Brower, Choy, Creagan, Fukumoto, Gates, Ichiyama, Kong, Mcdermott, Takayama) 

**HB 662:** Authorizes the director of health to establish maximum retail prices for medical marijuana. (Oshiro) 

**HB 985/SB 325:** Specifies that ten per cent of tax revenues collected from medical marijuana dispensaries shall be allocated to the mental health and substance abuse special fund. (Souki (Introduced by request of another party), House) (Keith-Agaran, Dela Cruz, Green, Kidani, Senate) 

**HB 1104/SB 970:** Extends exemption from civil service for medical marijuana dispensary program staff in the Department of Health hired after July 1, 2015, to June 30, 2020. (Souki, House) (Kouchi, Senate) (Both introduced by request of another party), 

**HB 1488/SB 1159:** Omnibus bill - Establishes the Office of Medical Marijuana Administration in DOH to administer dispensaries and patient registration. Requires an alternate dispensary tracking system. Provide for marijuana testing standards and postpones selecting additional dispensary licensees. Requires retention of security recordings for not less than 45 days. (Belatti, Keohokalole, Mckelvey, Morikawa, Nakashima, Nishimoto, Souki, Woodson, DeCoite, San Buenaventura, House) (Baker, Espero, Ihara, S. Chang, Senate) 

**SB 305:** Specifies that video monitoring and recording of medical marijuana dispensary and production center premises shall be retained for a period of forty-five days. (Baker, Nishihara) 

## Hemp

**HB 95, HB 96, SB 163, SB 773, SB 884, and SB 1052** each takes steps to expand Hawaii's industrial hemp industry. 