

Honolulu, Hawaii

APR 04 2025

RE: H.B. No. 1482
H.D. 1
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 1482, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATED TO CONTROLLED SUBSTANCES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of Health (DOH) to establish and maintain a registry of all manufactured hemp product distributors and manufactured hemp product retailers doing business in the State;
- (2) Beginning January 1, 2026, prohibit the sale of manufactured hemp products without a certificate of registration;
- (3) Establish the offense of unlawful hemp retailing or distribution for recklessly failing to register as required;
- (4) Authorize the DOH and the Attorney General to inspect any entity engaged in the distribution or sale of any product containing or derived from hemp to verify compliance with chapter 328G, Hawaii Revised Statutes (HRS);



- (5) Authorize the DOH, Attorney General, Department of Law Enforcement, and county police departments to seize and confiscate any product containing or derived from hemp that is possessed, kept, stored, retained, held, owned, received, acquired, distributed, sold, or offered for sale in violation of chapter 328G, HRS;
- (6) Establish that the offense of unlawful hemp retailing or distribution shall be subject to nuisance abatement proceedings;
- (7) Establish that a violation of chapter 328G, HRS, constitutes an unfair or deceptive act or practice and unfair method of competition subject to a civil penalty;
- (8) Allow moneys in the Hawaii Hemp Processing Special Fund to be used by DOH for the registry;
- (9) Authorize the Office of Medical Cannabis Control and Regulation to administer the Hemp Processors Program; and
- (10) Establish that every building, premises, or place used for the purpose of violating chapter 328G, HRS, is a nuisance subject to abatement.

Your Committees received testimony in support of this measure from the Department of Health, Ohana Unity Party, Cure Oahu, and one individual.

Your Committees received testimony in opposition to this measure from the Hawai'i Hemp Farmers Association and one individual.

Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that the hemp-cannabinoid marketplace in the State continues to evolve rapidly, with numerous websites and retail locations selling cannabis products under the guise of being labelled as hemp. Your Committees further find that many websites are currently operating and advertising their sale of cannabis products, some of which acknowledge that the State is a



medical cannabis only state, but others do not and still openly sell cannabis products. This measure will provide the DOH with clear enforcement tools to shut down illegal websites that are significantly impacting the regulated medical cannabis industry in the State.

Your Committees note that external cannabidiol products, such as salves, lotions, and tinctures, are not used or ingested like other products being advertised as "hemp", such as gummies or smokables. Given these differences, your Committees believe that this measure should be amended to exempt external cannabidiol products from the registry requirements established by this measure.

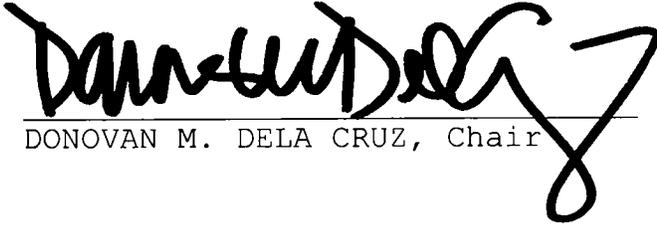
Accordingly, your Committees have amended this measure by:

- (1) Exempting hemp processors, hemp product distributors, or hemp product retailers with a valid permit under chapter 328G, HRS, and retailers or distributors selling cannabidiol tinctures or cannabidiol topicals from the registry established by this measure;
- (2) Defining "tincture" to mean any oil-based, unflavored product that contains no more than:
 - (A) Two ounces per container; and
 - (B) 0.3 percent tetrahydrocannabinol;
- (3) Inserting an effective date of April 23, 2057, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

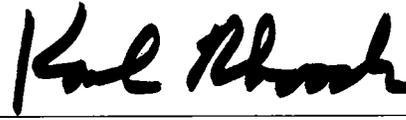
As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1482, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1482, H.D. 1, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,



DONOVAN M. DELA CRUZ, Chair



KARL RHOADS, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB482 HD1 SD1	Committee Referral: HHS/CPN, JDC/WAM	Date: 4/1/2025
--	---	-------------------

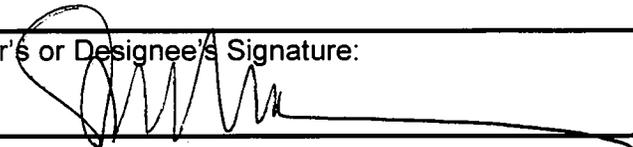
The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn				X
ELEFANTE, Brandon J.C.	X			
HASHIMOTO, Troy N.	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado		X		
LEE, Chris	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	11	1	0	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

Distribution: Original Yellow Pink Goldenrod
File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes