

STAND. COM. REP. NO.

1255

Honolulu, Hawaii

MAR 14 , 2025

RE: S.B. No. 1429
S.D. 2
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Health, to which was referred S.B. No. 1429, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS,"

begs leave to report as follows:

The purpose of this measure is to make various amendments to the medical cannabis laws for the purposes of strengthening consumer protection and patient access by:

- (1) Authorizing the Department of Health to impose penalties and take enforcement actions for violations of the medical cannabis laws;
- (2) Allowing primary caregivers to care for up to five qualifying patients;
- (3) Repealing the prohibition on primary caregivers cultivating medical cannabis for qualifying patients;
- (4) Extending the authorized period for which the Department of Health's interim rules are effective until July 1, 2027; and

2025-2587 SB1429 HD1 HSCR HMSO



- (5) Extending the exemption from civil service laws for certain Department of Health personnel until June 30, 2027.

Your Committee received testimony in support of this measure from the Department of Health and Akamai Cannabis Consulting. Your Committee received testimony in opposition to this measure from Noa Botanicals and one individual. Your Committee received comments on this measure from the Department of the Attorney General; Hawai'i Cannabis Industry Association; Cure Oahu; Aloha Green Apothecary; and Drug Policy Forum of Hawaii.

Your Committee finds that according to the rapid survey of Hawaii medical cannabis patients and providers conducted by the Department of Health in 2022, fifty-five percent of patients indicated that they obtained their cannabis exclusively from a licensed medical cannabis dispensary. This means forty-five percent of cannabis patients obtain their medical cannabis from other sources, including cultivation. Your Committee further finds that Act 309, Session Laws of Hawaii 2022, prohibited primary caregivers from cultivating cannabis for qualifying patients after December 31, 2024. Your Committee believes that qualifying patients should have multiple options for obtaining medical cannabis, including having a primary caregiver grow an adequate supply of cannabis for medical use on their behalf.

However, your Committee also recognizes the concerns raised in testimony before your Committee by the Department of the Attorney General and Department of Health that allowing a primary caregiver to care for and cultivate cannabis for up to five patients would risk commercializing the caregiver role, which could potentially harm both patients as well as the integrity of the medical cannabis program.

Accordingly, your Committee has amended this measure by:

- (1) Making administrative penalties, cease and desist orders, and orders for corrective action final twenty calendar days after the date of the written notice, unless a contested case hearing is requested;
- (2) Reverting to existing statutory language authorizing a primary caregiver to provide care to only one qualifying patient and removing language that allowed each location



used to cultivate cannabis to be used for cultivation for no more than five qualifying patients;

- (3) Extending the sunset for the exemption from civil service requirements for personnel hired by, or contracts entered into by, the Department of Health to July 1, 2029; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1429, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1429, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

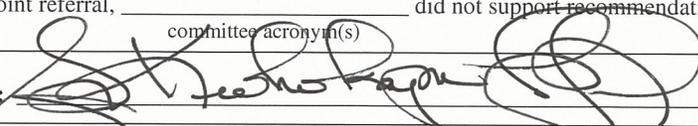
Respectfully submitted on
behalf of the members of the
Committee on Health,



GREGG TAKAYAMA, Chair



Record of Votes of the Committee on Health

Bill/Resolution No.: SB 1429, SD2	Committee Referral: HLT, CPC, JHA	Date: March 12, 2025		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAYAMA, Gregg (C)	X			
2. KEOHOKAPU-LEE LOY, Sue L. (VC)	X			
3. AMATO, Terez	X			
4. CHUN, Cory M.	X			
5. MARTEN, Lisa	X			
6. OLDS, Ikaika	X			
7. TAKENOUCI, Jenna	X			
8. ALCOS III, David				X
9. GARCIA, Diamond			X	
TOTAL (9)	7		1	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				