



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

H.B. NO. 1482, H.D. 1, RELATED TO CONTROLLED SUBSTANCES.

BEFORE THE:

SENATE COMMITTEES ON HEALTH AND HUMAN SERVICES AND ON
COMMERCE AND CONSUMER PROTECTION

DATE: Wednesday, March 19, 2025 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Alana L. Bryant, Deputy Attorney General

Chairs San Buenaventura and Keohokalole and Members of the Committees:

The Department of the Attorney General (Department) provides the following comments on this bill.

The purposes of the bill are to: (1) amend schedule I of the Uniform Controlled Substances Act to clarify that delta-8 tetrahydrocannabinol (THC) is a schedule 1 controlled substance, and (2) amend definitions in chapter 328G, Hawaii Revised Statutes (HRS), to explicitly disallow all forms of cannabinoids classified as schedule 1 controlled substances in manufactured hemp products.

The Department notes that regulation and enforcement against illegal cannabis and hemp products under the Hemp Processors Law (chapter 328G, HRS) could be improved by establishing a hemp retailer registry, increasing inspection authority under chapter 328G, HRS, creating mechanisms for seizing non-compliant products, and age gating the purchase and use of hemp products.

Nuisance abatement actions, prosecuted by the Department's Drug Nuisance Abatement Unit under section 28-131, HRS, may provide an avenue to increasing enforcement against illegal cannabis and hemp products. If violation of chapter 328G, HRS, were to be added to the enforcement responsibilities under section 23-131(c), HRS, and if the Legislature would like the Department to increase drug nuisance abatement actions regarding illegal cannabis and hemp products, the Department would

require additional resources for that purpose. The estimated cost for these additional resources is \$750,000, including the following positions.

POSITION	MONTHLY	YEARLY
Investigator V	\$5,918 to \$7,198 (SR24, Sept D to I)	\$71,016 to \$86,376
Investigator V	\$5,918 to \$7,198 (SR24, Sept D to I)	\$71,016 to \$86,376
Investigator V	\$5,918 to \$7,198 (SR24, Sept D to I)	\$71,016 to \$86,376
Investigator V	\$5,918 to \$7,198 (SR24, Sept D to I)	\$71,016 to \$86,376
Investigator VI (Supervisor)	\$6,399 to \$7,787 (SR26, Step D to I)	\$76,788 to \$93,444
Analyst	\$3,354 to \$4,240 (SR10, Step C to I)	\$40,248 to \$50,880
TOTAL:		\$401,100 to \$489,828

Thank you for the opportunity to provide comments on this bill.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
DIRECTOR

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT

Ka 'Oihana Ho'okō Kānāwai

715 South King Street
Honolulu, Hawaii 96813

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON HOUSE BILL 1482, HOUSE DRAFT 1
RELATING TO CONTROLLED SUBSTANCES
Before the Senate Committees on
HEALTH AND HUMAN SERVICES
And
Commerce and Consumer Protection
Wednesday, March 19, 2025, 9:30 AM
State Capitol Conference Room 229 & Videoconference
Testifiers: Jared Redulla

Chairs San Buenaventura and Keohokalole, Vice Chairs Aquino and Fukunaga, and members of the Committees:

The Department of Law Enforcement (DLE) supports House Bill 1482, House Draft 1, relating to the regulation of hemp processors and cannabinoid products.

This bill proposes to amend the definitions of "artificially derived cannabis" and "cannabis" to include, and the definition of "manufactured hemp product" to specifically exclude, all forms of cannabinoids classified as schedule I under the Uniform Controlled Substances Act.

The DLE supports this measure as it addresses a significant regulatory gap in the current hemp processing law. By clarifying these definitions, the bill would strengthen the legal framework governing hemp-derived cannabinoids that are created through

chemical processes such as isomerization. This process can transform non-psychoactive CBD from hemp into psychoactive compounds with intoxicating effects like delta-9 THC, the primary psychoactive component in cannabis.

Products containing artificially derived cannabinoids such as delta-8 THC have proliferated in the market, often marketed as legal alternatives to marijuana. However, these products currently exist in a regulatory gray area, despite having psychoactive effects and potential public safety concerns. By explicitly defining these substances as schedule I controlled substances, this bill would provide clear notice to the public and law enforcement regarding what substances are regulated in Hawaii.

The DLE is particularly concerned about unregulated psychoactive cannabinoids that are widely available in the community. Without proper oversight, these products may pose health and safety risks, including potential for impaired driving, accidental ingestion by children, and unknown potency or contaminants. Additionally, these products can be marketed in ways that appeal to young people, creating additional public safety concerns.

The DLE notes that investigations involving commercially available products in the cannabis marketplace are extremely difficult for several reasons. First, the DLE notes that the proliferation of hemp products and synthetic cannabinoids in the local marketplace is difficult to meaningfully enforce. A substantial part of law enforcement in this area requires advanced laboratory testing which was previously not necessary when “marijuana” was completely illegal. To help bolster enforcement in the hemp and cannabinoid realm in the future, law enforcement needs to obtain support to hire a new chemist, and to purchase additional laboratory equipment such as a liquid chromatograph mass spectrometer (LCMS) and other support equipment to both identify and quantify hemp products and synthetic cannabinoids. DLE also estimates development of laboratory ability to take about two years or more due to recruitment, training and procurement.

STAFFING	AMOUNT	SALARY	LINE TOTAL
<i>Laboratory / SIS</i>			
Criminalist	1	\$111,732.00	\$111,732.00
Salary Includes Fringe		Category Total	\$111,732.00

RECURRING COST	AMOUNT	COST	LINE TOTAL
<i>Laboratory Supplies</i>			
Testing Supplies	1	\$67,700.00	\$67,700.00
Instrument Maintenance Contracts	1	\$131,250.00	\$131,250.00
Accreditation	1	\$11,600.00	\$11,600.00
Waste Disposal	1	\$11,000.00	\$11,000.00
Compressed Gas	1	\$16,770.00	\$16,770.00
		Category Total	\$ 238,320.00

EQUIPMENT	AMOUNT	COST	LINE TOTAL	EQUIPMENT LIFE
<i>Laboratory Equipment</i>				
THC Potency Test Equipment Set	1	\$95,000.00	\$95,000.00	5 years
THC Full Testing Equipment Set	1	\$842,250.00	\$842,250.00	5 years
Gas Line Installation	1	\$29,000.00	\$29,000.00	5 years
			Category Total	\$ 966,250.00

Recurring	\$ 238,320
Periodic (5 years)	\$ 937,250
Start Up Cost	\$1,316,302

Second, the DLE also notes that there are concerns in the community over small shops and kiosks that are selling hemp and cannabinoid products that may be unsafe or contain higher than legal amounts of THC. Confronting these shops and kiosks are difficult given the lack of clarity in current laws and the limitations of law enforcement's ability to conduct laboratory tests to both identify a product and measure its THC content. One effective way to confront these potentially illegal small shops and kiosks is to use the nuisance abatement statute as provided in Chapter 712, part V, of the HRS. Section 712-1250 provides:

§712-1270 Places used to commit offenses against public health and morals or other offenses, a nuisance. Every building, premises, or place used for the purpose of violating:

- (1) Those laws pertaining to offenses against public health and morals contained in this chapter, except offenses under part IV that do not involve the manufacture or distribution of drugs and activities under part III that involve only social gambling as defined in section 712-1231(a);
- (2) Section 132D-14(a)(1) or (3); or
- (3) Any offense under part II of chapter 708 that involves a person unlawfully residing on or otherwise occupying real property to which the person has no title, lease, or other legal claim, and every building, premises, or place in or upon which violations of any of the laws set forth in paragraph (1), (2), or (3) are held or occur, is a nuisance that shall be enjoined, abated, and prevented, regardless of whether it is a public or private nuisance.

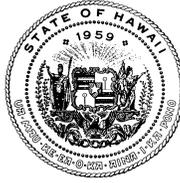
The DLE recommends that to provide law enforcement the ability to use nuisance abatement as a tool to enforce against the proliferation of illegal stores and kiosks that sell prohibited synthetic cannabinoids or artificially derived cannabinoids, that the legislature clarify that the manufacture and distribution of synthetic cannabinoids or artificially derived cannabinoids is an offense for which nuisance abatement provisions in chapter 712, part V apply:

§712-1270 Places used to commit offenses against public health and morals or other offenses, a nuisance. Every building, premises, or place used for the purpose of violating:

- (1) Those laws pertaining to offenses against public health and morals contained in this chapter, except offenses under part IV that do not involve the manufacture or distribution of drugs (including synthetic cannabinoids or artificially derived cannabinoids as regulated under section 328G, HRS) and activities under part III that involve only social gambling as defined in section 712-1231(a);
- (2) Section 132D-14(a)(1) or (3); or
- (3) Any offense under part II of chapter 708 that involves a person unlawfully residing on or otherwise occupying real property to which the person has no title, lease, or other legal claim, and every building, premises, or place in or upon which violations of any of the laws set forth in paragraph (1), (2), or (3) are held or occur, is a nuisance that shall be enjoined, abated, and prevented, regardless of whether it is a public or private nuisance.

This bill aligns with the DLE's mission to protect public safety through just, transparent, and responsive law enforcement by ensuring that substances with similar effects to controlled substances are properly regulated.

Thank you for the opportunity to testify in support of this bill.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB1482 HD1
RELATED TO CONTROLLED SUBSTANCES**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATOR JARRETT KEOHOKALOLE, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Hearing Date/Time: March 19, 2025, 9:30 A.M.

Room #: 229

1 **Fiscal Implications:** None.

2 **Department Position:** The Department of Health (“Department”) supports the House Draft 1
3 that includes amendments requested by the Department.

4 **Department Testimony:** The Office of Medical Cannabis Control and Regulation provides the
5 following testimony on behalf of the Department.

6 The Department supports the efforts in this bill to enhance consumer protection and
7 public safety by clarifying that delta-8 tetrahydrocannabinol (THC) is a schedule 1 substance
8 under section 329-14(g), HRS, and further clarifying that delta-8 THC created artificially or
9 synthetically is prohibited from being sold as a hemp product in Hawaii. The hemp-cannabinoid
10 marketplace continues to evolve rapidly, and these changes allow us to better respond to
11 protect public health and safety.

12 If the goal is to strengthen regulatory oversight at the retail level, the Department
13 recommends a comprehensive fix to the existing regulatory gaps at the retailer-to-consumer
14 level. Below are three suggestions that would provide the Department with the necessary tools

1 to use our limited resources to educate, regulate and enforce, when necessary, businesses that
2 sell manufactured hemp products and prohibited cannabinoid containing products to
3 consumers in Hawaii.

4 **1. Retail and Distributor Registry**

- 5 • **Purpose:** Requiring retailers and distributors, operating in face-to-face or online
6 transactions, to register with the Department creates a centralized database of
7 businesses selling manufactured hemp products in Hawaii. This will improve
8 oversight and accountability by making it easier for regulators to track and
9 monitor the entities involved in these transactions.

10 **This registry requirement would not apply to retailers or distributors of**
11 **industrial hemp products that are not regulated under chapter 328G.**

- 12 • **Impact:** It can help identify non-compliant retailers quickly and streamline
13 enforcement actions. A registry also facilitates communication between the
14 Department and businesses, ensuring that regulations and updates reach all
15 stakeholders.

16 **2. Age-gating**

- 17 • **Purpose:** Prevent minors from purchasing hemp products by requiring retailers
18 to verify the age of customers during face-to-face or online transactions.
- 19 • **Impact:** Age restrictions are crucial for protecting public health, particularly for
20 products that may have psychoactive effects or unknown long-term impacts.
21 Implementing an age-verification system ensures compliance with the 21+ age
22 requirement, reducing access to potentially harmful products for underage
23 individuals.

24

1 **3. Seizure Authority**

- 2 • **Purpose:** Granting the Department and other law enforcement agencies the
3 authority to inspect retailers and seize non-compliant products (e.g., prohibited
4 hemp flower, pre-rolls, high-THC gummies, and vapes) strengthens enforcement
5 capabilities. This authority would enable immediate action when retailers fail to
6 comply with state laws.
- 7 • **Impact:** The ability to seize and destroy non-compliant products serves as both a
8 deterrent and a corrective measure. Retailers may be less likely to sell non-
9 compliant or prohibited products if they know that the Department can
10 confiscate them and impose penalties. Additionally, it helps protect consumers
11 from unsafe or illegal products in the market.

12 **Collective Benefits:**

- 13 • **Protection of Public Health and Safety:** By ensuring that retailers comply with
14 regulations, these amendments would prevent the sale of potentially harmful or
15 illicit products to consumers. Age restrictions, in particular, are essential for
16 safeguarding young people from potentially dangerous substances.
- 17 • **Improved Compliance and Accountability:** The retailer and distributor registry,
18 alongside the age-gating and seizure authority, would promote a culture of
19 compliance, making it clear that violations of the law will not be tolerated.
20 Retailers would have more incentive to follow the rules, knowing there are
21 robust mechanisms to ensure enforcement.
- 22 • **Enhanced Consumer Confidence:** With clear regulations in place, consumers
23 would have greater trust in the products they are purchasing. Retailers who
24 adhere to these rules would be seen as reliable and committed to public safety,
25 which could lead to increased consumer support.

- 1 These suggestions offer a comprehensive framework to regulate the sale of cannabinoid
- 2 containing hemp products in Hawaii, addressing both youth access (age-gating) and
- 3 enforcement (registry and seizure authority).

- 4 Thank you for the opportunity to testify on this measure.

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
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RICK BLANGIARDI
MAYOR
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ARTHUR J. LOGAN
CHIEF
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KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE DM-HR

March 19, 2025

The Honorable Joy A. San Buenaventura, Chair
and Members
Committee on Health and Human Services
The Honorable Jarrett Keohokalole, Chair
and Members
Committee on Commerce
and Consumer Protection
State of Senate
415 South Beretania Street, Room 229
Honolulu, Hawai'i 96813

Dear Chairs Buenaventura and Keohokalole and Members:

SUBJECT: House Bill No. 1482, H.D. 1, Relating to Controlled Substances

I am Domingo Manog, Acting Captain of the Narcotics/Vice Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 1482, H.D. 1, Relating to Controlled Substances.

The HPD supports legislation aimed at amending the definitions of "artificially derived cannabis," "cannabis," and "manufactured hemp product" under the hemp processors law. This amendment would include all forms of cannabinoids classified as Schedule I under the Uniform Controlled Substances Act.

Delta-8 tetrahydrocannabinol has not been evaluated or approved by the United States Food and Drug Administration (FDA). The FDA has reported that products containing Delta-8 tetrahydrocannabinol are marketed in ways that could pose a risk to public health.

The HPD urges you to support House Bill No. 1482, H.D. 1, Relating to Controlled Substances. Thank you for the opportunity to testify.

APPROVED:

Sincerely,


Arthur J. Logan
Chief of Police


Domingo Manog, Acting Captain
Narcotics/Vice Division



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: March 18, 2025

TO: Senator Joy San Buenaventura
Chair, Committee on Health and Human Services

Senator Jarrett Keohokalole
Chair, Committee on Commerce and Consumer Protection

FROM: Mihoko Ito

RE: **H.B. 1482, HD1 – Related to Controlled Substances**

Hearing Date: Wednesday, March 19, 2025 at 9:30 a.m.
Conference Room: 229

Dear Chair San Buenaventura, Chair Keohokalole, and Members of the Joint Committees:

We submit this testimony on behalf of Cure Oahu in **support** of **H.B. 1482, HD1**, Related to Controlled Substances, which amends the definitions of "artificially derived cannabis" and "cannabis" to include, and the definition of "manufactured hemp product" to specifically exclude, all forms of cannabinoids classified as schedule I under the Uniform Controlled Substances Act.

Delta-8 THC is an artificially derived product that can be extracted from hemp products and have psychoactive effects. Under the Hawaii controlled substances law, Delta-8 THC is technically already included in HRS 329-14(g)(1) under the synonymous term "Delta-6 cis or trans tetrahydrocannabinol." However, this bill proposes to make it explicit that Delta-8 THC is part of the controlled substances schedule and is not permitted to be manufactured from hemp products.

Delta-8 THC products are unregulated and can pose health and safety risks due to the lack of oversight over this substance. This measure closes a loophole that has allowed synthetically derived Delta-8 THC products to proliferate in the state.

For these reasons, we support this measure and ask that the Committee pass H.B.1482, HD1. Thank you for the opportunity to submit testimony in support of this bill.

HB-1482-HD-1

Submitted on: 3/15/2025 6:54:05 PM

Testimony for HHS on 3/19/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Master Shelby "Pikachu" Billionaire	Testifying for Ohana Unity Party & Kingdom of The Hawaiian Islands	Support	Remotely Via Zoom

Comments:

Honorable Members of the Hawaii State Legislature
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Honorable Members of the Hawaii State Legislature,

I strongly support House Bill No. 1482 (H.D. 1), "A Bill for an Act Relating to Controlled Substances." Below are key points outlining why this legislation is vital for Hawaii:

- **Addresses Urgent Public Safety Gaps:**
 - The rapid rise of delta-8 THC and similar cannabis products has outpaced current laws, leaving consumers vulnerable to unregulated substances.
 - Specific Reason: Reports show delta-8 THC products often contain impurities or mislabeled potency, risking overdoses or adverse health effects.
- **Enhances Consumer Protection:**
 - Amends definitions in the hemp processors law (Section 328G-1, HRS) to include all Schedule I cannabinoids, ensuring consistent oversight.
 - Specific Reason: Clear labeling and safety standards will prevent misleading marketing, like calling delta-8 THC a "safe" alternative, protecting unsuspecting users, especially youth.
- **Strengthens Regulatory Clarity:**
 - Aligns state law with the Uniform Controlled Substances Act by classifying psychoactive cannabinoids like delta-8 THC as Schedule I substances.
 - Specific Reason: This closes legal loopholes exploited by manufacturers, reducing confusion for law enforcement and businesses.
- **Balances Hemp Industry Support:**
 - Excludes naturally occurring, compliant hemp products from restrictive definitions, preserving legitimate economic opportunities.
 - Specific Reason: Protects local farmers and businesses producing safe, tested hemp goods, like CBD oils, while targeting risky synthetic compounds.
- **Responds to Evolving Risks:**

- Updates laws to reflect the changing cannabis market, ensuring Hawaii stays ahead of emerging psychoactive substances.
- Specific Reason: New cannabinoids are developed faster than regulators can assess them; this proactive approach prevents future crises, like the vaping illness outbreak linked to unregulated products.

I urge your support for H.B. 1482 to safeguard our communities, clarify regulations, and promote a responsible hemp industry. Please vote in favor of this critical legislation. For further discussion, contact me at [Your Phone Number] or [Your Email Address].

Sincerely,

Master Shelby "Pikachu" Billionaire, HRM

Ohana Unity Party, Chairman

www.Ohanaunityparty.com

Kingdom of The Hawaiian Islands, H.I.

LATE

HB-1482-HD-1

Submitted on: 3/18/2025 8:10:14 PM

Testimony for HHS on 3/19/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nikos Leverenz	Testifying for Drug Policy Forum of Hawaii	Oppose	Written Testimony Only

Comments:

Chair San Buenaventura, Vice Chair Aquino, & HHS Committee

Chair Keohokalole, Vice Chair Fukunaga, & CPN Committee

On behalf of Drug Policy Forum of Hawaii (DPFH), I am writing in ***strong opposition*** to HB 1482, HD 1, which would amend schedule I of the state’s Uniform Controlled Substances Act (CSA) to include delta-8 THC. Given the continued evolution of federal law and regulations on this front, this bill should be deferred.

Hawaii’s CSA routinely mirrors the federal CSA, which is continually updated to include analogs and precursors. State legislation is typically offered, passed, and signed into law each biennium toward that end. However, state law should not be more restrictive as a matter of course. This is especially the case when there is ongoing ambiguity at the federal level regarding manufactured products under the 2018 farm bill.

Over the past half decade the state Department of Agriculture has frustrated the ability of hemp licensees to reach anything resembling commercial viability much less profitability.

Similarly, the state Department of Health (DOH) has not allowed greater latitude for current or prospective medical cannabis licensees, including the sidestepping of the recommendations of the working group and task force that it convened. For example, DOH has yet to offer tone-neutral, science-based information for medical cannabis patients and the public. DOH has not expanded the number of medical cannabis licensees, promulgated regulations that flatten vertical integration, or even allowed current licensees to offer products to store and use cannabis flower.

Medical cannabis patients do not yet have employment protections under state law [as is the case in 24 states authorizing the use of medical cannabis](#). One could surmise that clearer support from the executive branch could prompt legislators, even those who have reservations about this policy area, to finally provide such protections.

By the very criteria set forth in the federal CSA for Schedule I substances (high potential for abuse; no currently accepted medical use; lack of accepted safety for use), cannabis does not belong on Schedule I. Given the relative safety of cannabis, especially when compared to alcohol and tobacco -- two widely used licit, unscheduled substances that result in a prodigious amount of preventable injury, illness, and death each year -- it simply does not belong in the CSA.

[Last year a dozen U.S. Senators called for the removal of cannabis from the CSA](#), noting that its inclusion “has had a devastating impact on our communities and is increasingly out of step with state law and public opinion.” As with other drug law enforcement and the larger operation of the state's criminal legal system, cannabis prohibition has disproportionately impacted Native Hawaiians and Pasifika communities.

Until such a time that Hawaii policymakers are ready to take a measured and comprehensive approach to the regulation of cannabis and manufactured cannabis products, the provisions of this bill -- and the greater law enforcement expenditures identified by the state Attorney General in its testimony -- are neither judicious nor otherwise warranted.

Mahalo for the opportunity to provide testimony.

LATE

HB-1482-HD-1

Submitted on: 3/18/2025 2:55:21 PM
Testimony for HHS on 3/19/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Support	Written Testimony Only

Comments:

I support this initiative.

HB-1482-HD-1

Submitted on: 3/13/2025 10:16:41 AM

Testimony for HHS on 3/19/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Individual	Support	Written Testimony Only

Comments:

I support HB 1482. Please pass this bill.