

JAN 23 2025

A BILL FOR AN ACT

RELATING TO MANUFACTURED HEMP PRODUCTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Act 263, Session
2 Laws of Hawaii 2023, amended regulations on hemp production and
3 manufactured hemp products. However, the definition of
4 "manufactured hemp product" in section 328G-1, Hawaii Revised
5 Statutes, was inadvertently amended to be ambiguous and may be
6 read to limit the department of health's rulemaking authority to
7 regulate new types of hemp products as manufactured hemp
8 products.

9 The purpose of the Act is to clarify that the definition of
10 "manufactured hemp product" includes hemp products specified in
11 rules adopted by the department of health pursuant to section
12 328G-4, Hawaii Revised Statutes.

13 SECTION 2. Section 328G-1, Hawaii Revised Statutes, is
14 amended by amending the definition of "manufactured hemp
15 product" to read as follows:

16 ""Manufactured hemp product" means [a]:

17 (1) A product created by processing, as defined in this
18 chapter, that [+]

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~~(1)~~ ~~Is~~ is either:

(A) Intended to be consumed orally to supplement the human or animal diet in tablet, capsule, powder, softgel, gelcap, or liquid form (e.g., hemp oil); or

(B) In a form for topical application to the skin or hair; or

(2) Any other product specified in rules adopted by the department pursuant to section 328G-4.

~~[(2) Does]~~ "Manufactured hemp product" does not include any living hemp plants, viable seeds, leaf materials, or floral materials ~~[; and~~

~~(3) Includes any other product specified by the department pursuant to section 328G-4(a)(7)]."~~

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Ann D. V.C.

BY REQUEST

S.B. NO. 1427

Report Title:

Manufactured Hemp Products; Definition; DOH

Description:

Clarifies that the definition of "manufactured hemp products" in section 328G-1, HRS, includes hemp products specified in rules adopted by the Department of Health pursuant to section 328G-4, HRS.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO MANUFACTURED HEMP PRODUCTS.

PURPOSE: To clarify that the definition of "manufactured hemp product" includes hemp products specified by the Department of Health in rules.

MEANS: Amend section 328G-1, Hawaii Revised Statutes.

JUSTIFICATION: The definition of "manufactured hemp product" in section 328G-1, Hawaii Revised Statutes, was inadvertently amended to be ambiguous and may be read to limit the Department of Health's authority to regulate new types of hemp products as manufactured hemp products by rule.

Impact on the public: Higher assurances of safety and more accurate labeling for products that contain hemp.

Impact on the department and other agencies: None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HTH 560.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.