

STAND. COM. REP. NO.

115

Honolulu, Hawaii

February 10, 2015

RE: H.B. No. 31  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 31  
entitled:

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

begs leave to report as follows:

The purpose of this measure is to render void any planned community or condominium association document that allows discriminatory practices prohibited under section 515-3 (1)-(7), Hawaii Revised Statutes, against a person residing in a unit who has a valid certificate for the use of medical marijuana; provided that the foregoing does not apply when a planned community or association document prohibits smoking tobacco, and the medical marijuana is used by means of smoking.

The Community Alliance on Prisons, Americans for Democratic Action, the Drug Policy Forum of Hawaii, Community Associations Legislative Action Committee, ACLU of Hawaii, The CHOW Project, and several individuals supported this measure. The Maui Police Department and an individual opposed this measure. The Department of Health and Hawaii Civil Rights Commission commented on this measure.

Your Committee notes the concerns raised in the Hawaii Civil Rights Commission's testimony that this measure may negate or diminish the obligations of housing providers to provide reasonable accommodations for persons with disabilities. Your Committee respectfully requests that the Committee on Consumer

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Protection and Commerce and the Committee on Judiciary consider these concerns in their deliberations should this measure progress further in the legislative process.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate further discussion.

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 H.B. No. 31, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 31, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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



DELLA AU BELATTI, Chair



