
A BILL FOR AN ACT

RELATING TO MEDICAL MARIJUANA.

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

1 SECTION 1. Chapter 421J, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§421J- Medical marijuana; discrimination. A provision
5 in any association documents allowing for any of the
6 discriminatory practices listed in paragraphs (1) to (7) of
7 section 515-3 against a person residing in a unit who has a
8 valid certificate for the medical use of marijuana as provided
9 in section 329-123 in any form is void, unless the association
10 documents prohibit smoking tobacco and the medical marijuana is
11 used by means of smoking."

12 SECTION 2. Chapter 514A, Hawaii Revised Statutes, is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 "§514A- Medical marijuana; discrimination. A provision
16 in any articles of incorporation, declaration, bylaws,
17 administrative rules, house rules, association documents, or a



1 similar document of a condominium property regime allowing for
2 any of the discriminatory practices listed in paragraphs (1) to
3 (7) of section 515-3 against a person residing in an apartment
4 who has a valid certificate for the medical use of marijuana as
5 provided in section 329-123 in any form is void, unless such
6 documents prohibit smoking tobacco and the medical marijuana is
7 used by means of smoking."

8 SECTION 3. Chapter 514B, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§514B- Medical marijuana; discrimination. A provision
12 in any articles of incorporation, declaration, bylaws,
13 administrative rules, house rules, or association documents
14 allowing for any of the discriminatory practices listed in
15 paragraphs (1) to (7) of section 515-3 against a person residing
16 in a unit who has a valid certificate for the medical use of
17 marijuana as provided in section 329-123 in any form is void,
18 unless such documents prohibit smoking tobacco and the medical
19 marijuana is used by means of smoking."



1 SECTION 4. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 5. New statutory material is underscored.

5 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Condominiums; Medical Marijuana; Discrimination

Description:

voids any provision that discriminates against a person who holds a valid medical marijuana certificate and resides in an apartment or unit of a condominium property regime, condominium, or planned community association, unless the association documents prohibit smoking tobacco and the medical marijuana is used by means of smoking. (HB31 HD1)

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