

---

# A BILL FOR AN ACT

RELATING TO MEDICAL MARIJUANA.

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

1       SECTION 1. The legislature finds that the state medical  
2 marijuana program, which was enacted as Act 228, Session Laws of  
3 Hawaii 2000, and codified as part IX of chapter 329, Hawaii  
4 Revised Statutes, is a public health program conceived out of  
5 concern for the health and welfare of the people of the State.  
6 However, the intent of Act 228 has been frustrated by the fact  
7 that legal access to medical marijuana is severely restricted in  
8 Hawaii. Although the state medical marijuana program has  
9 existed for nearly fifteen years, current law provides no legal  
10 method of acquiring medical marijuana other than allowing  
11 qualifying patients and primary caregivers to grow it  
12 themselves.

13       The legislature also finds that a task force was convened  
14 in 2014 to develop a framework for a system of medical marijuana  
15 dispensaries. Legislation based on the recommendations of the  
16 task force is expected to be considered during the current  
17 legislative session. However, even if this legislation is



1 enacted, it is anticipated that a medical marijuana dispensary  
2 system would not be operational until 2017 or later.

3 The legislature further finds that more immediate measures  
4 are necessary to improve access to medical marijuana for  
5 qualifying patients who are unable to grow their own supply.

6 The purpose of this Act is to:

- 7 (1) Increase the maximum number of qualifying patients  
8 that a primary caregiver may care for at any given  
9 time;
- 10 (2) Limit the number of marijuana plants grown for medical  
11 marijuana use to no more than fourteen marijuana  
12 plants located at a single property defined by a  
13 single tax map key number; and
- 14 (3) Require a primary caregiver to disclose to the  
15 department of health upon registration the number of  
16 qualifying patients and other information for whom the  
17 primary caregiver is responsible.

18 SECTION 2. Chapter 329, Hawaii Revised Statutes, is  
19 amended by adding a new section to part IX to be appropriately  
20 designed and to read as follows:



1        "§329-        Limit of marijuana plants grown.    Notwithstanding  
2   the adequate supply amount authorized for each qualifying  
3   patient and primary caregiver pursuant to this chapter, there  
4   shall be no more than fourteen marijuana plants located at a  
5   single property defined by a single tax map key number."

6        SECTION 3.    Section 329-123, Hawaii Revised Statutes, is  
7   amended by amending subsection (c) to read as follows:

8        "(c)    Primary caregivers shall register with the department  
9   of health.    Every primary caregiver shall be responsible for the  
10   care of [~~only one~~] no more than three qualifying [~~patient~~]  
11   patients at any given time[~~-~~]; provided that upon establishment  
12   of a medical marijuana dispensary, each primary caregiver shall  
13   be responsible for the care of no more than one qualifying  
14   patient at any given time.

15        Upon registration, a primary caregiver shall disclose to  
16   the department of health, the number of qualifying patients, and  
17   the name, address, patient identification number, and other  
18   identifying information of each qualifying patient, for whom the  
19   primary caregiver is responsible and that number shall be  
20   included on any registration card provided to the private  
21   caregiver.    The primary caregiver shall notify the department of



1 health in writing of any changes to the number of qualifying  
2 patients for whom the primary caregiver is responsible."

3 SECTION 4. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

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



**Report Title:**

Medical Marijuana; Primary Caregivers

**Description:**

Increases the maximum number of qualifying patients that a primary caregiver may care for at any given time. Requires each primary caregiver upon registration to disclose to the Department of Health the number of qualifying patients and other patient information for whom the caregiver is responsible.

Limits the number of marijuana plants that can be grown for medical marijuana use to 14 plants at a single property.

(HB1455 HD1)

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

