
A BILL FOR AN ACT

RELATING TO MEDICAL MARIJUANA.

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

SECTION 1. Section 329-122, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) The authorization for the medical use of marijuana in this section shall not apply to:

(1) The medical use of marijuana that endangers the health or well-being of another person;

(2) The medical use of marijuana:

(A) In a school bus, public bus, or any moving vehicle;

(B) In the workplace of one's employment;

(C) On any school grounds;

(D) At any public park, public beach, public recreation center, recreation or youth center; or

(E) ~~[Other]~~ Any other place open to the public; provided that a qualifying patient, primary caregiver, or an owner or employee of a medical marijuana production center or dispensary

licensed under sections 321-B and 321-C shall not



1 be prohibited from transporting medical marijuana
2 in any public place; provided further that the
3 medical marijuana shall be transported in a
4 sealed container, not be visible to the public,
5 and not be removed from its sealed container or
6 consumed or used in any way while it is in the
7 public place; and

8 (3) The use of marijuana by a qualifying patient, parent,
9 or primary caregiver for purposes other than medical
10 use permitted by this part."

11 SECTION 2. Section 329-123, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) Physicians who issue written certifications shall
14 provide, in each written certification, the name, address,
15 patient identification number, and other identifying information
16 of the qualifying patient. The department of health shall
17 require, in rules adopted pursuant to chapter 91, that all
18 written certifications comply with a designated form completed
19 by or on behalf of a qualifying patient. The form shall require
20 information from the applicant, primary caregiver, and [primary
21 care] physician as specifically required or permitted by this



1 chapter. The form shall require the address of the location
2 where the marijuana is grown and shall appear on the registry
3 card issued by the department of health. [~~The certifying~~
4 ~~physician shall be required to be the qualifying patient's~~
5 ~~primary care physician.~~] All current active medical marijuana
6 permits shall be honored through their expiration date."

7 SECTION 3. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 4. In codifying the amendments made to section
11 329-122(c), Hawaii Revised Statutes, in section 1 of this Act,
12 the revisor of statutes shall substitute appropriate section
13 numbers for the letters used in designating the new sections
14 321-B and 321-C, Hawaii Revised Statutes, pursuant to S.B. No.
15 1302, in any form passed by the legislature during the regular
16 session of 2015.

17 SECTION 5. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 6. This Act shall take effect on July 1, 2050,
20 only if S.B. 1302, in any form passed by the legislature during
21 the regular session of 2015, becomes an Act.



Report Title:

Medical Marijuana; Patients and Caregivers; Protections;
Certifying Physician

Description:

Allows a qualifying patient, primary caregiver, or an owner or employee of a medical marijuana production center or dispensary to transport medical marijuana in any public place, under certain conditions. Repeals the requirement that a certifying physician be the qualifying patient's primary care physician. Effective 7/1/2050 and contingent upon passage of S.B. No. 1302 (2015). (SD2)

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

