

---

# A BILL FOR AN ACT

RELATING TO THE MEDICAL USE OF CANNABIS.

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

1       SECTION 1. The legislature finds that the authority to  
2       accept the medical use of controlled substances rests with the  
3       states, which is why the State of Hawaii was able to accept the  
4       medical use of cannabis in 2000 and create a state regulated  
5       medical use of cannabis program.

6       However, some issues related to the medical use of cannabis  
7       remain unresolved, such as the implications of state and federal  
8       scheduling of cannabis as a schedule I controlled substance and  
9       the interaction of conflicting state and federal law regarding  
10      cannabis and its derivative products. These unresolved issues  
11      affect the State's ability to regulate certain aspects of the  
12      medical use of cannabis in context of uncertain federal  
13      enforcement policies.

14      The purpose of this Act is to convene the medical cannabis  
15      study group to examine the complexities surrounding the topic of  
16      the legality of medical cannabis.



1       SECTION 2. (a) There is established the medical cannabis  
2 study group to examine the complexities surrounding the topic of  
3 the legality of medical cannabis, including:

4       (1) The United States Attorney General's January 4, 2018  
5 Memorandum For All United States Attorneys titled  
6 "Marijuana Enforcement";

7       (2) Article VI, clause 2 of the United States  
8 Constitution;

9       (3) The United States Constitution Amendment II;

10       (4) The United States Constitution Amendment X; and

11       (5) Additional resources pertaining to states' rights.

12       (b) The study group shall consist of the following  
13 members:

14       (1) Two members of the house of representatives, one of  
15 whom shall be selected by the speaker of the house of  
16 representatives and one of whom shall be selected by  
17 the minority leader of the house of representatives;

18       (2) Two members of the senate who are selected by the  
19 president of the senate;

20       (3) A medical doctor with expertise in medical cannabis  
21 and both state and federal rights and authority as it



1 relates to the prescription of drugs to be selected  
2 jointly by the speaker of the house of representatives  
3 and the president of the senate;

4 (4) The attorney general; and

5 (5) A representative from the Hawaii Rifle Association.

6 (c) The members of the medical cannabis study group shall  
7 select a chair from among the members of the study group.

8 (d) The study group may request assistance and feedback  
9 from subject matter experts, as needed, to enable the study  
10 group to carry out its work.

11 (e) The study group shall submit a report of its findings  
12 and recommendations, including any proposed legislation, to the  
13 legislature no later than twenty days prior to the convening of  
14 the regular session of 2019.

15 SECTION 3. This Act shall take effect on July 1, 3000.



**Report Title:**

Medical Use of Cannabis; Medical Cannabis Study Group

**Description:**

Establishes the Medical Cannabis Study Group to examine the complexities surrounding the topic of the legality of medical cannabis. (HB2572 HD1)

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

