

JAN 24 2018

# A BILL FOR AN ACT

RELATING TO CANNABIS.

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

1       SECTION 1. Section 329-14, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:

3       "(d) Any material, compound, mixture, or preparation that  
4 contains any quantity of the following hallucinogenic  
5 substances, their salts, isomers, and salts of isomers, unless  
6 specifically excepted, whenever the existence of these salts,  
7 isomers, and salts of isomers is possible within the specific  
8 chemical designation:

- 9       (1) Alpha-ethyltryptamine (AET);  
10       (2) 2,5-dimethoxy-4-ethylamphetamine (DOET);  
11       (3) 2,5-dimethoxyamphetamine (2,5-DMA);  
12       (4) 3,4-methylenedioxy amphetamine;  
13       (5) 3,4-methylenedioxymethamphetamine (MDMA);  
14       (6) N-hydroxy-3,4-methylenedioxyamphetamine (N-hydroxy-  
15       MDA);  
16       (7) 3,4-methylenedioxy-N-ethylamphetamine (MDE);  
17       (8) 5-methoxy-3,4-methylenedioxy-amphetamine;



- 1 (9) 4-bromo-2,5-dimethoxy-amphetamine (4-bromo-2,5-DMA);
- 2 (10) 4-Bromo-2,5-dimethoxyphenethylamine (Nexus);
- 3 (11) 3,4,5-trimethoxy amphetamine;
- 4 (12) Bufotenine;
- 5 (13) 4-methoxyamphetamine (PMA);
- 6 (14) Diethyltryptamine;
- 7 (15) Dimethyltryptamine;
- 8 (16) 4-methyl-2,5-dimethoxy-amphetamine;
- 9 (17) Gamma hydroxybutyrate (GHB) (some other names include
- 10 gamma hydroxybutyric acid; 4-hydroxybutyrate; 4-
- 11 hydroxybutanoic acid; sodium oxybate; sodium
- 12 oxybutyrate);
- 13 (18) Ibogaine;
- 14 (19) Lysergic acid diethylamide;
- 15 [~~(20)~~ ~~Marijuana~~;
- 16 ~~(21)~~] (20) Parahexyl;
- 17 [~~(22)~~] (21) Mescaline;
- 18 [~~(23)~~] (22) Peyote;
- 19 [~~(24)~~] (23) N-ethyl-3-piperidyl benzilate;
- 20 [~~(25)~~] (24) N-methyl-3-piperidyl benzilate;
- 21 [~~(26)~~] (25) Psilocybin;



- 1        [~~(27)~~] (26)    Psilocyn;
- 2        [~~(28)~~] (27)    1-[1-(2-Thienyl) cyclohexyl] Pyrrolidine (TCPy);
- 3        [~~(29)~~] (28)    Ethylamine analog of phencyclidine (PCE);
- 4        [~~(30)~~] (29)    Pyrrolidine analog of phencyclidine (PCPy, PHP);
- 5        [~~(31)~~] (30)    Thiophene analog of phencyclidine (TPCP; TCP);
- 6        [~~(32)~~] (31)    Gamma-butyrolactone, including butyrolactone;
- 7           butyrolactone gamma; 4-butyrolactone; 2(3H)-furanone
- 8           dihydro; dihydro-2(3H)furanone; tetrahydro-2-furanone;
- 9           1,2-butanolide; 1,4-butanolide; 4-butanolide; gamma-
- 10          hydroxybutyric acid lactone; 3-hydroxybutyric acid
- 11          lactone and 4-hydroxybutanoic acid lactone with
- 12          Chemical Abstract Service number 96-48-0 when any such
- 13          substance is intended for human ingestion;
- 14        [~~(33)~~] (32)    1,4 butanediol, including butanediol; butane-
- 15           1,4-diol; 1,4- butylenes glycol; butylene glycol; 1,4-
- 16           dihydroxybutane; 1,4- tetramethylene glycol;
- 17           tetramethylene glycol; tetramethylene 1,4- diol with
- 18          Chemical Abstract Service number 110-63-4 when any
- 19          such substance is intended for human ingestion;



- 1        [~~(34)~~] (33)    2,5-dimethoxy-4-(n)-propylthiophenethylamine  
2                    (2C-T-7), its optical isomers, salts, and salts of  
3                    isomers;  
4        [~~(35)~~] (34)    N-benzylpiperazine (BZP; 1-benzylpiperazine) its  
5                    optical isomers, salts, and salts of isomers;  
6        [~~(36)~~] (35)    1-(3-trifluoromethylphenyl)piperazine (TFMPP),  
7                    its optical isomers, salts, and salts of isomers;  
8        [~~(37)~~] (36)    Alpha-methyltryptamine (AMT), its isomers,  
9                    salts, and salts of isomers;  
10       [~~(38)~~] (37)    5-methoxy-N,N-diisopropyltryptamine (5-MeO-  
11                    DIPT), its isomers, salts, and salts of isomers;  
12       [~~(39)~~] (38)    Salvia divinorum;  
13       [~~(40)~~] (39)    Salvinorin A;  
14       [~~(41)~~] (40)    Divinorin A;  
15       [~~(42)~~] (41)    5-Methoxy-N,N-Dimethyltryptamine (5-MeO-DIPT)  
16                    (some trade or other names: 5-methoxy-3-[2-  
17                    (dimethylamino)ethyl]indole; 5-MeO-DMT);  
18       [~~(43)~~] (42)    2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-  
19                    E);  
20       [~~(44)~~] (43)    2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-  
21                    D);



1        [~~(45)~~]    (44)    2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-

2                      C);

3        [~~(46)~~]    (45)    2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);

4        [~~(47)~~]    (46)    2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine

5                      (2C-T-2);

6        [~~(48)~~]    (47)    2-[4-(Isopropylthio)-2,5-

7                      dimethoxyphenyl]ethanamine (2C-T-4);

8        [~~(49)~~]    (48)    2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);

9        [~~(50)~~]    (49)    2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-

10                     N);

11        [~~(51)~~]    (50)    2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine

12                     (2C-P);

13        [~~(52)~~]    (51)    2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-

14                     methoxybenzyl)ethanamine, its optical, positional, and

15                     geometric isomers, salts, and salts of isomers (Other

16                     names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5);

17        [~~(53)~~]    (52)    2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-

18                     methoxybenzyl)ethanamine, its optical, positional, and

19                     geometric isomers, salts, and salts of isomers (Other

20                     names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82); and



1        [~~54~~] (53)    2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-  
2                    methoxybenzyl)ethanamine, its optical, positional, and  
3                    geometric isomers, salts, and salts of isomers (Other  
4                    names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36)."

5            SECTION 2. Section 329-18, Hawaii Revised Statutes, is  
6 amended to read as follows:

7            "**§329-18 Schedule III.** (a) The controlled substances  
8 listed in this section are included in schedule III.

9            (b) Stimulants. Unless listed in another schedule, any  
10 material, compound, mixture, or preparation which contains any  
11 quantity of the following substances having a stimulant effect  
12 on the central nervous system, including their salts, isomers,  
13 and salts of isomers, whenever the existence of these salts,  
14 isomers, and salts of isomers is possible within the specific  
15 chemical designation:

16            (1) Those compounds, mixtures, or preparations in dosage  
17 unit form containing any stimulant substance listed in  
18 schedule II, and any other drug of the quantitative  
19 composition or which is the same except that it  
20 contains a lesser quantity of controlled substances;

21            (2) Benzphetamine;



(3) Chlorphentermine;

(4) Clortermine;

(5) Mazindol;

(6) Phendimetrazine.

(c) Depressants. Unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule;

(2) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;

(3) Any substance that contains any quantity of a derivative of barbituric acid or any salt thereof, including the substance butalbital;

(4) Chlorhexadol;

(5) Embutramide (Tributame);



- 1           (6) Ketamine, its salts, isomers, and salts of isomers,  
2                   also known as (+ or -)-2-(2-chlorophenyl)-2-  
3                   (methylamino)-cyclohexanone;
- 4           (7) Lysergic acid;
- 5           (8) Lysergic acid amide;
- 6           (9) Methypylon;
- 7           (10) Sulfondiethylmethane;
- 8           (11) Sulfonethylmethane;
- 9           (12) Sulfonmethane;
- 10          (13) Tiletamine/Zolazepam (Telazol, 2-(ethylamino)-2-(-  
11                   thienyl)-cyclohexanone, flupyrzapon) or any salts  
12                   thereof;
- 13          (14) Gamma hydroxybutyric acid and its salts, isomers, and  
14                   salts of isomers that are contained in a drug product  
15                   for which an application has been approved under  
16                   section 505 of the federal Food, Drug, and Cosmetic  
17                   Act;
- 18          (15) Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-  
19                   dihydropyridin-3-yl)benzonitrile], including its  
20                   salts, isomers, and salts of isomers; and





1       (16)   Alfaxalone 5[alpha]-pregnan-3[alpha]-ol-11,20-dione,  
2               including its salts, isomers, and salts of isomers.

3       (d)   Nalorphine.

4       (e)   Narcotic drugs. Unless specifically excepted or  
5   unless listed in another schedule, any material, compound,  
6   mixture, or preparation containing any of the following narcotic  
7   drugs, or their salts, or alkaloid, in limited quantities as set  
8   forth below:

9       (1)   Not more than 1.8 grams of codeine, or any of its  
10             salts, per 100 milliliters or not more than 90  
11             milligrams per dosage unit, with an equal or greater  
12             quantity of an isoquinoline alkaloid of opium;

13       (2)   Not more than 1.8 grams of codeine, or any of its  
14             salts, per 100 milliliters or not more than 90  
15             milligrams per dosage unit, with one or more active,  
16             nonnarcotic ingredients in recognized therapeutic  
17             amounts;

18       (3)   Not more than 1.8 grams of dihydrocodeine, or any of  
19             its salts, per 100 milliliters or not more than 90  
20             milligrams per dosage unit, with one or more active;



1           nonnarcotic ingredients in recognized therapeutic  
2           amounts;

3           (4) Not more than 300 milligrams of ethylmorphine, or any  
4           of its salts, per 100 milliliters or not more than 15  
5           milligrams per dosage unit, with one or more  
6           ingredients in recognized therapeutic amounts;

7           (5) Not more than 500 milligrams of opium per 100  
8           milliliters or per 100 grams, or not more than 25  
9           milligrams per dosage unit, with one or more active  
10          nonnarcotic ingredients in recognized therapeutic  
11          amounts;

12          (6) Not more than 50 milligrams of morphine or any of its  
13          salts, per 100 milliliters or per 100 grams with one  
14          or more active, nonnarcotic ingredients in recognized  
15          therapeutic amounts; and

16          (7) Buprenorphine.

17          (f) The department of public safety may except by rule any  
18          compound, mixture, or preparation containing any stimulant or  
19          depressant substance listed in subsections (b) and (c) from the  
20          application of all or any part of this chapter if the compound,  
21          mixture, or preparation contains one or more active medicinal



1 ingredients not having a stimulant or depressant effect on the  
2 central nervous system, and if the admixtures are included  
3 therein in combinations, quantity, proportion, or concentration  
4 that vitiate the potential for abuse of the substances which  
5 have a stimulant or depressant effect on the central nervous  
6 system.

7 (g) Any anabolic steroid. The term "anabolic steroid"  
8 means any drug or hormonal substance chemically and  
9 pharmacologically related to testosterone (other than estrogens,  
10 progestins, and corticosteroids) that promotes muscle growth,  
11 and includes:

- 12 (1) Boldenone;
- 13 (2) Clostebol (4-Chlorotestosterone);
- 14 (3) Dehydrochlormethyltestosterone;
- 15 (4) Dihydrotestosterone (4-dihydrotestosterone);
- 16 (5) Drostanolone;
- 17 (6) Ethylestrenol;
- 18 (7) Fluoxymesterone;
- 19 (8) Formebolone (Formyldienolone);
- 20 (9) Mesterolone;
- 21 (10) Methandranone;



- 1 (11) Methandriol;
- 2 (12) Methandrostenolone (Methandienone);
- 3 (13) Methenolone;
- 4 (14) Methyltestosterone;
- 5 (15) Mibolerone;
- 6 (16) Nandrolone;
- 7 (17) Norethandrolone;
- 8 (18) Oxandrolone;
- 9 (19) Oxymesterone;
- 10 (20) Oxymetholone;
- 11 (21) Stanolone (Dihydrotestosterone);
- 12 (22) Stanozolol;
- 13 (23) Testolactone;
- 14 (24) Testosterone;
- 15 (25) Trenbolone;
- 16 (26) 3[beta], 17-dihydroxy-5a-androstane;
- 17 (27) 3[alpha], 17[beta]-dihydroxy-5a-androstane;
- 18 (28) 5[alpha]-androstan-3, 17-dione;
- 19 (29) 1-androstenediol (3[beta], 17[beta]-dihydroxy-
- 20 5[alpha]-androst-1-ene);



- 1 (30) 1-androstenediol (3[alpha], 17[beta]-dihydroxy-  
2 5[alpha]-androst-1-ene);
- 3 (31) 4-androstenediol (3[beta], 17[beta]-dihydroxy-androst-  
4 4-ene);
- 5 (32) 5-androstenediol (3[beta], 17[beta]-dihydroxy-androst-  
6 5-ene);
- 7 (33) 1-androstenedione ([5[alpha]]-androst-1-en-3,  
8 17-dione);
- 9 (34) 4-androstenedione (androst-4-en-3, 17-dione);
- 10 (35) 5-androstenedione (androst-5-en-3, 17-dione);
- 11 (36) Bolasterone (7[alpha], 17[alpha]-dimethyl-17[beta]-  
12 hydroxyandrost-4-en-3-one);
- 13 (37) Calusterone (7[beta], 17[alpha]-dimethyl-17[beta]-  
14 hydroxyandrost-4-en-3-one);
- 15 (38) [Delta]1-dihydrotestosterone (a.k.a. '1-testosterone')  
16 (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 17 (39) Furazabol (17[alpha]-methyl-17[beta]-  
18 hydroxyandrostano[2,3-c]-furazan);
- 19 (40) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one;
- 20 (41) 4-hydroxytestosterone (4,17[beta]-dihydroxy-androst-  
21 4-en-3-one);



- 1 (42) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxy-  
2 estr-4-en-3-one);
- 3 (43) Mesterolone (1[alpha]methyl-17[beta]-hydroxy-  
4 [5[alpha]]-androst-3-one);
- 5 (44) Methandienone (17[alpha]-methyl-17[beta]-  
6 hydroxyandrost-1,4-dien-3-one);
- 7 (45) Methandriol (17[alpha]-methyl-3[beta], 17[beta]-  
8 dihydroxyandrost-5-ene);
- 9 (46) Methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-  
10 androst-1-en-3-one);
- 11 (47) 17[alpha]-methyl-3[beta], 17[beta]-dihydroxy-  
12 5a-androstane;
- 13 (48) 17[alpha]-methyl-3[alpha], 17[beta]-dihydroxy-  
14 5a-androstane;
- 15 (49) 17[alpha]-methyl-3[beta], 17[beta]-dihydroxyandrost-  
16 4-ene;
- 17 (50) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-  
18 methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one);
- 19 (51) Methyldienolone (17[alpha]-methyl-17[beta]-  
20 hydroxyestra-4, 9(10)-dien-3-one);



- 1 (52) Methyltrienolone (17[alpha]-methyl-17[beta]-  
2 hydroxyestra-4, 9-11-trien-3-one);
- 3 (53) 17[alpha]-methyl-[Delta] 1-dihydrotestosterone (17b  
4 [beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-  
5 3-one) (a.k.a. '17-[alpha]-methyl-1-testosterone');
- 6 (54) 19-nor-4-androstenediol (3[beta], 17[beta]-  
7 dihydroxyestr-4-ene);
- 8 (55) 19-nor-4-androstenediol (3[alpha], 17[beta]-  
9 dihydroxyestr-4-ene);
- 10 (56) 19-nor-5-androstenediol (3[beta], 17[beta]-  
11 dihydroxyestr-5-ene);
- 12 (57) 19-nor-5-androstenediol (3[alpha], 17[beta]-  
13 dihydroxyestr-5-ene);
- 14 (58) 19-nor-4-androstenedione (estr-4-en-3, 17-dione);
- 15 (59) 19-nor-5-androstenedione (estr-5-en-3, 17-dione);
- 16 (60) Norbolethone (13[beta], 17[alpha]-diethyl-17[beta]-  
17 hydroxygon-4-en-3-one);
- 18 (61) Norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-  
19 3-one);
- 20 (62) Normethandrolone (17[alpha]-methyl-17[beta]-  
21 hydroxyestr-4-en-3-one);



- 1       (63)   Stenbolone (17[beta]-hydroxy-2-methyl-[5[alpha]]-  
2           androst-1-en-3-one);
- 3       (64)   Tetrahydrogestrinone (13[beta], 17[alpha]-diethyl-  
4           17[beta]-hydroxygon-4, 9, 11-trien-3-one);
- 5       (65)   Desoxymethyltestosterone (17a-methyl-5a-androst-2-en-  
6           17-ol, madol);
- 7       (66)   19-nor-4,9(10)-androstadienedione (estra-4,9(10)-  
8           diene-3,17-dione);
- 9       (67)   Boldione (Androsta-1,4-diene-3,17-dione);
- 10      (68)   Methasterone (2 alpha-17 alpha-dimethyl-5 alpha-  
11          androstan-17beta-ol-3-one);
- 12      (69)   Prostanozol (17 beta-hydroxy-5 alpha-androstano[3,2-  
13          c]pyrazole; and
- 14      (70)   Any salt, ester, or isomer of a drug or substance  
15          described or listed in this subsection, if that salt,  
16          ester, or isomer promotes muscle growth, except the  
17          term "anabolic steroid" does not include an anabolic  
18          steroid that is expressly intended for administration  
19          through implants to cattle or other nonhuman species  
20          and that has been approved by the Secretary of Health  
21          and Human Services for nonhuman administration. If





1           any person prescribes, dispenses, or distributes an  
2           anabolic steroid intended for administration to  
3           nonhuman species for human use, the person shall be  
4           considered to have prescribed, dispensed, or  
5           distributed an anabolic steroid within the meaning of  
6           this paragraph.

7           (h) Hallucinogenic substances, unless listed in another  
8           schedule, shall include Dronabinol (synthetic), in sesame oil  
9           and encapsulated in a soft gelatin capsule in a United States  
10          Food and Drug Administration approved drug product.

11          (i) Cannabis."

12          SECTION 3. Sections 141-36, 302A-1002, 328-15, 329-1, 353-  
13          66, 706-622.5, 706-625, 710-1022, 712-1240, 712-1240.1, 712-  
14          1244, 712-1245, 712-1246, 712-1247, 712-1248, 712-1249, 712-  
15          1249.4, 712-1249.5, and 712A-4 are amended by substituting the  
16          word "cannabis" wherever the word "marijuana" appears, as the  
17          context requires.

18          SECTION 4. The department of the attorney general shall  
19          revise all documents, letterhead, websites, and other necessary  
20          items to conform with section 3 of this Act as the documents,  
21          letterhead, websites, and other necessary items otherwise



1 require revision, replacement, or reprinting; provided that all  
 2 conforming revisions shall be completed by December 31, 2020.

3 SECTION 5. Statutory material to be repealed is bracketed  
 4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect upon its approval.

6

INTRODUCED BY:

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# S.B. NO. 2918

**Report Title:**

Marijuana; Cannabis; Schedule III Drug

**Description:**

Amends Hawaii Revised Statutes and Hawaii Administrative Rules to substitute references to "marijuana" with "cannabis". Reschedules cannabis from a schedule I drug to a schedule III drug.

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

