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# A BILL FOR AN ACT

RELATING TO CANNABIS.

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

1           SECTION 1. The legislature finds that amendments to  
2 chapter 329D, Hawaii Revised Statutes, are warranted to clarify  
3 legislative intent, ensure smooth administration of the medical  
4 cannabis dispensary system law, allow for adequate patient  
5 access based on experiences in other states that have a  
6 reasonable medical cannabis program, and resolve other issues  
7 that have arisen under the existing law.

8           The legislature further finds that patients and primary  
9 caregivers cultivating medical cannabis at a registered grow  
10 site under the State's medical cannabis registry program have no  
11 legal means of obtaining safe, laboratory-tested genetic  
12 material from which to propagate their plants. State law on the  
13 medical use of cannabis currently authorizes qualifying patients  
14 to cultivate up to ten medical cannabis plants at a grow site  
15 listed on the patient's registry card, but does not specify by  
16 what means propagules, cuttings, or other cannabis genetic  
17 material necessary to produce these plants may be obtained. In



1 practice, existing law often forces patients or their primary  
2 caregivers to obtain propagules, cuttings, or other cannabis  
3 genetic material from the illicit market.

4 The purpose of this Act is to:

- 5 (1) Authorize the department of health to allow a licensed  
6 dispensary to purchase up to three thousand grams of  
7 medical cannabis or manufactured cannabis products  
8 from another licensed dispensary to ensure ongoing  
9 qualified patient access;
- 10 (2) Increase the allowable number of production centers  
11 and retail dispensing locations per dispensary  
12 license;
- 13 (3) Clarify that the transport of cannabis to another  
14 county or island for the sole purposes of laboratory  
15 testing is permissible only if no certified laboratory  
16 is located in the county or on the island where the  
17 dispensary is located;
- 18 (4) Authorize dispensaries to distribute medical cannabis  
19 propagules and cuttings by amending the definition of  
20 "cannabis" to include cannabis propagules and  
21 cuttings; and



1 (5) Impose quantity limits and quality requirements on  
2 dispensed cannabis propagules and cuttings.

3 SECTION 2. Section 329-122, Hawaii Revised Statutes, is  
4 amended by amending subsection (f) to read as follows:

5 "(f) For the purposes of this section, "transport" means  
6 the transportation of cannabis, usable cannabis, or any  
7 manufactured cannabis product between:

- 8 (1) A qualifying patient and the qualifying patient's  
9 primary caregiver;
- 10 (2) A qualifying out-of-state patient under eighteen years  
11 of age and the caregiver of a qualifying out-of-state  
12 patient;
- 13 (3) The production centers and the retail dispensing  
14 locations under a dispensary licensee's license; ~~[or]~~
- 15 (4) Dispensaries as permitted by section 329D-6(r);  
16 provided that a selling dispensary may only transport  
17 up to three thousand grams of cannabis or manufactured  
18 cannabis products to a purchasing dispensary; or
- 19 [+4+] (5) A production center, retail dispensing location,  
20 qualifying patient, primary caregiver, qualifying out-  
21 of-state patient, or caregiver of a qualifying out-of-



1 state patient and a certified laboratory for the  
2 purpose of laboratory testing; provided that a  
3 qualifying patient, primary caregiver, qualifying out-  
4 of-state patient, or caregiver of a qualifying out-of-  
5 state patient may only transport up to one gram of  
6 cannabis per test to a certified laboratory for  
7 laboratory testing and may only transport the product  
8 if the qualifying patient, primary caregiver,  
9 qualifying out-of-state patient, or caregiver of a  
10 qualifying out-of-state patient:

11 (A) Secures an appointment for testing at a certified  
12 laboratory;

13 (B) Obtains confirmation, which may be electronic,  
14 that includes the specific time and date of the  
15 appointment and a detailed description of the  
16 product and amount to be transported to the  
17 certified laboratory for the appointment; and

18 (C) Has the confirmation, which may be electronic,  
19 available during transport.

20 For purposes of interisland transportation, "transport" of  
21 cannabis, usable cannabis, or any manufactured cannabis product,



1 by any means is allowable only between dispensaries as permitted  
2 by section 329D-6(r) and between a production center or retail  
3 dispensing location and a certified laboratory for the sole  
4 purpose of laboratory testing pursuant to section 329D-8, as  
5 permitted under section 329D-6(m) and subject to  
6 section 329D-6(j), and with the understanding that state law and  
7 its protections do not apply outside of the jurisdictional  
8 limits of the State[-]; provided that a selling dispensary may  
9 only transport up to three thousand grams of cannabis or  
10 manufactured cannabis products to a purchasing dispensary.  
11 Allowable transport pursuant to this section does not include  
12 interisland transportation by any means or for any purpose  
13 between a qualified patient, primary caregiver, qualifying out-  
14 of-state patient, or caregiver of a qualifying out-of-state  
15 patient and any other entity or individual, including an  
16 individual who is a qualified patient, primary caregiver,  
17 qualifying out-of-state patient, or caregiver of a qualifying  
18 out-of-state patient."

19 SECTION 3. Section 329D-1, Hawaii Revised Statutes, is  
20 amended as follows:



1 1. By inserting two new definitions to read:

2 ""Cutting" means the stem of a cannabis plant that is taken  
3 or cut off for the purpose of being rooted and grown into a new  
4 cannabis plant.

5 "Propagule" means any part of a cannabis plant that can be  
6 used to grow a new cannabis plant."

7 2. By amending the definition of "cannabis" to read:

8 ""Cannabis" shall have the same meaning as in  
9 section 329-121. "Cannabis" includes cannabis propagules and  
10 cuttings."

11 3. By amending the definition of "medical cannabis  
12 dispensary" or "dispensary" to read:

13 ""Medical cannabis dispensary" or "dispensary" means a  
14 person licensed by the State pursuant to this chapter to own,  
15 operate, or subcontract up to [~~two~~] \_\_\_\_\_ production  
16 centers and up to [~~two~~] \_\_\_\_\_ retail dispensing locations."

17 4. By amending the definition of "medical cannabis  
18 production center" or "production center" to read:

19 ""Medical cannabis production center" or "production  
20 center" means a farm or facility wholly owned, operated, or  
21 subcontracted by a person licensed by the State pursuant to this



1 chapter as a medical cannabis dispensary that produces cannabis  
2 and manufactured cannabis products [~~solely~~] to supply cannabis  
3 and manufactured cannabis products to one or more of the retail  
4 dispensing locations of [~~the~~] any licensed medical cannabis  
5 dispensary."

6 SECTION 4. Section 329D-2, Hawaii Revised Statutes, is  
7 amended by amending subsections (f) and (g) to read as follows:

8 "(f) Up to [~~two~~] \_\_\_\_\_ production centers shall be  
9 allowed under each dispensary license; provided that, except as  
10 otherwise specified in subsection (k), each production center  
11 shall be limited to no more than three thousand cannabis plants.  
12 For purposes of this subsection, "plant" means a cannabis plant  
13 that is greater than twelve vertical inches in height from where  
14 the base of the stalk emerges from the growth medium to the  
15 tallest point of the plant, or greater than twelve horizontal  
16 inches in width from the end of one branch to the end of another  
17 branch; provided that multiple stalks emanating from the same  
18 root ball or root system shall be considered part of the same  
19 single plant.

20 (g) A dispensary licensee may establish up to [~~two~~]  
21 \_\_\_\_\_ retail dispensing locations under the licensee's



1 dispensary license, except as otherwise specified in  
2 subsection (1)."

3 SECTION 5. Section 329D-6, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "**§329D-6 Dispensary operations.** (a) No person shall  
6 operate a dispensary, nor engage in the production, manufacture,  
7 or sale of cannabis or manufactured cannabis products, unless  
8 the person has obtained a license from the department pursuant  
9 to this chapter.

10 (b) No dispensary licensee, its officers, employees, or  
11 agents shall provide written certification for the use of  
12 medical cannabis or manufactured cannabis products for any  
13 person.

14 (c) No person under the age of twenty-one shall be  
15 employed by a dispensary licensee.

16 (d) Notwithstanding any other law to the contrary,  
17 including but not limited to sections 378-2 and 378-2.5,  
18 dispensaries:

19 (1) Shall deny employment to any individual who has been:

20 (A) Convicted of murder in any degree;

21 (B) Convicted of a class A or class B felony; or



1 (C) Convicted of a class C felony involving  
2 trafficking, distributing, or promoting a  
3 schedule I or II controlled substance other than  
4 cannabis within the last ten years; and

5 (2) May deny employment to any individual who has been  
6 convicted of a class C felony involving:

7 (A) Fraud, deceit, misrepresentation, embezzlement,  
8 or theft; or

9 (B) Endangering the welfare of a minor.

10 Employment under this chapter shall be exempt from  
11 section 378-2(a)(1), as it relates to arrest and court record  
12 discrimination, and section 378-2.5.

13 (e) Retail dispensing locations shall not be open for  
14 retail sales before 8:00 a.m. or after 8:00 p.m., Hawaii-  
15 Aleutian Standard Time, Monday through Sunday.

16 (f) All dispensary facilities, including but not limited  
17 to production centers and retail dispensing locations, shall be  
18 enclosed indoor facilities and shall maintain twenty-four hour  
19 security measures, including but not limited to an alarm system,  
20 video monitoring and recording on the premises, and exterior  
21 lighting. A dispensary licensee who intends to utilize, as a



1 production center, an enclosed indoor facility that includes a  
2 roof that is partially or completely transparent or translucent,  
3 as provided under section 329D-1, shall notify the department of  
4 that intention [~~prior to~~] before altering or constructing the  
5 facility. Production centers shall remain locked at all times.  
6 Retail dispensing locations shall remain locked at all times,  
7 other than business hours as authorized by subsection (e), and  
8 shall only be opened for authorized persons.

9 (g) In all dispensary facilities, only the licensee, if an  
10 individual, registered employees of the dispensary licensee,  
11 registered employees of a subcontracted production center or  
12 retail dispensing location, employees of a certified laboratory  
13 for testing purposes, state employees authorized by the director  
14 of health, and law enforcement and other government officials  
15 acting in their official capacity shall be permitted to touch or  
16 handle any cannabis or manufactured cannabis products, except  
17 that a qualifying patient, primary caregiver, qualifying out-of-  
18 state patient, or caregiver of a qualifying out-of-state patient  
19 may receive manufactured cannabis products at a retail  
20 dispensing location following completion of a sale.



1 (h) A dispensary shall provide the department with the  
2 address, tax map key number, and a copy of the premises lease,  
3 if applicable, of the proposed location of a production center  
4 allowed under a license for a county [~~not~~] no later than thirty  
5 days [~~prior to~~] before any medical cannabis or manufactured  
6 cannabis products being produced or manufactured at that  
7 production center.

8 (i) A dispensary shall provide the department with the  
9 address, tax map key number, and a copy of the premises lease,  
10 if applicable, of the proposed location of each retail  
11 dispensing location allowed under a license [~~not~~] no less than  
12 sixty days [~~prior to~~] before opening for business.

13 (j) The department shall establish, maintain, and control  
14 a computer software tracking system that shall have real time,  
15 twenty-four-hour access to the data of all dispensaries.

16 (1) The computer software tracking system shall collect  
17 data relating to:

18 (A) The total amount of cannabis in possession of all  
19 dispensaries from either seed or immature plant  
20 state, including all plants that are derived from  
21 cuttings or cloning, until the cannabis, cannabis



1 plants, or manufactured cannabis product is sold  
2 or destroyed pursuant to section 329D-7;

3 (B) The total amount of manufactured cannabis product  
4 inventory, including the equivalent physical  
5 weight of cannabis that is used to manufacture  
6 manufactured cannabis products, purchased by a  
7 qualifying patient, primary caregiver, qualifying  
8 out-of-state patient, and caregiver of a  
9 qualifying out-of-state patient from all retail  
10 dispensing locations in the State in any fifteen-  
11 day period;

12 (C) The amount of waste produced by each plant at  
13 harvest; and

14 (D) The transport of cannabis and manufactured  
15 cannabis products between production centers and  
16 retail dispensing locations[7] and as permitted  
17 by subsection (r), including tracking  
18 identification issued by the tracking system, the  
19 identity of the person transporting the cannabis  
20 or manufactured cannabis products, and the make,



1                    model, and license number of the vehicle being  
2                    used for the transport;

3            (2)    The procurement of the computer software tracking  
4                    system established pursuant to this subsection shall  
5                    be exempt from chapter 103D; provided that:

6                    (A)    The department shall publicly solicit at least  
7                    three proposals for the computer software  
8                    tracking system; and

9                    (B)    The selection of the computer software tracking  
10                    system shall be approved by the director of the  
11                    department and the chief information officer; and

12            (3)    Notwithstanding any other provision of this subsection  
13                    to the contrary, once the department has authorized a  
14                    licensed dispensary to commence sales of cannabis or  
15                    manufactured cannabis products, if the department's  
16                    computer software tracking system is inoperable or is  
17                    not functioning properly, as an alternative to  
18                    requiring dispensaries to temporarily cease  
19                    operations, the department may implement an alternate  
20                    tracking system that will enable a qualifying patient,  
21                    primary caregiver, qualifying out-of-state patient,



1 and caregiver of a qualifying out-of-state patient to  
2 purchase cannabis or manufactured cannabis products  
3 from a licensed dispensary on a temporary basis. The  
4 department shall seek input regarding the alternate  
5 tracking system from medical cannabis licensees. The  
6 alternate tracking system may operate as follows:

7 (A) The department may immediately notify all  
8 licensed dispensaries that the computer software  
9 tracking system is inoperable; and

10 (B) Once the computer software tracking system is  
11 operational and functioning to meet the  
12 requirements of this subsection, the department  
13 may notify all licensed dispensaries, and the  
14 alternate tracking system in this subsection  
15 shall be discontinued.

16 (k) A dispensary licensed pursuant to this chapter shall  
17 purchase, operate, and maintain a computer software tracking  
18 system that shall:

19 (1) Interface with the department's computer software  
20 tracking system established pursuant to  
21 subsection (j);



- 1           (2) Allow each licensed dispensary's production center to  
2           submit to the department in real time, by automatic  
3           identification and data capture, all cannabis,  
4           cannabis plants, and manufactured cannabis product  
5           inventory in possession of that dispensary from either  
6           seed or immature plant state, including all plants  
7           that are derived from cuttings or cloning, until the  
8           cannabis or manufactured cannabis product is sold or  
9           destroyed pursuant to section 329D-7;
- 10          (3) Allow the licensed dispensary's retail dispensing  
11          location to submit to the department in real time for  
12          the total amount of cannabis and manufactured cannabis  
13          product purchased by a qualifying patient, primary  
14          caregiver, qualifying out-of-state patient, and  
15          caregiver of a qualifying out-of-state patient from  
16          the dispensary's retail dispensing locations in the  
17          State in any fifteen day period; provided that the  
18          software tracking system shall impose an automatic  
19          stopper in real time, which cannot be overridden, on  
20          any further purchases of cannabis or manufactured  
21          cannabis products, if the maximum allowable amount of



1 cannabis has already been purchased for the applicable  
2 fifteen day period; provided further that additional  
3 purchases shall not be permitted until the next  
4 applicable period; and

5 (4) Allow the licensed dispensary to submit all data  
6 required by this subsection to the department and  
7 permit the department to access the data if the  
8 department's computer software tracking system is not  
9 functioning properly and sales are made pursuant to  
10 the alternate tracking system under subsection (j).

11 (1) No free samples of cannabis or manufactured cannabis  
12 products shall be provided at any time, and no consumption of  
13 cannabis or manufactured cannabis products shall be permitted on  
14 any dispensary premises.

15 (m) [A] Except as permitted pursuant to subsection (r), a  
16 dispensary shall not transport cannabis or manufactured cannabis  
17 products to another county or another island; provided that this  
18 subsection shall not apply to the transportation of cannabis or  
19 any manufactured cannabis product solely for the purposes of  
20 laboratory testing pursuant to section 329D-8, and subject to  
21 subsection (j) [~~+~~], if no certified laboratory is located in the



1 county or on the island where the dispensary is located;  
 2 provided further that a dispensary shall only transport samples  
 3 of cannabis and manufactured cannabis products for laboratory  
 4 testing for purposes of this subsection in an amount and manner  
 5 prescribed by the department, in rules adopted pursuant to this  
 6 chapter, and with the understanding that state law and its  
 7 protections do not apply outside of the jurisdictional limits of  
 8 the State.

9 (n) [A] Except for dispensary-to-dispensary sales as  
 10 provided in subsection (r), a dispensary shall be prohibited  
 11 from off-premises delivery of cannabis or manufactured cannabis  
 12 products to a qualifying patient, primary caregiver, qualifying  
 13 out-of-state patient, or caregiver of a qualifying out-of-state  
 14 patient.

15 (o) A dispensary shall not:  
 16 (1) Display cannabis or manufactured cannabis products in  
 17 windows or in public view; or  
 18 (2) Post any signage other than a single sign no greater  
 19 than one thousand six hundred square inches bearing  
 20 only the business or trade name in text without any  
 21 pictures or illustrations; provided that if any



1 applicable law or ordinance restricting outdoor  
2 signage is more restrictive, that law or ordinance  
3 shall govern.

4 (p) No cannabis or manufactured cannabis products shall be  
5 transported to, from, or within any federal fort or arsenal,  
6 national park or forest, any other federal enclave, or any other  
7 property possessed or occupied by the federal government.

8 (q) A dispensary licensed pursuant to this chapter shall  
9 be prohibited from providing written certification pursuant to  
10 section 329-122 for the use of medical cannabis for any person.

11 (r) The department may permit a dispensary to purchase  
12 cannabis and manufactured cannabis products from another  
13 dispensary in a manner prescribed by the department by rules  
14 adopted pursuant to this chapter and chapter 91; provided that:

15 (1) The purchasing dispensary provides sufficient  
16 justification that purchase of the cannabis and  
17 manufactured cannabis products from another dispensary  
18 is necessary to ensure ongoing qualified patient  
19 access;



1       (2) The selling dispensary may only transport up to three  
2            thousand grams of cannabis or manufactured cannabis  
3            products to a purchasing dispensary; and

4        (3) Nothing in this subsection shall relieve any  
5            dispensary of its responsibilities and obligations  
6            under this chapter and chapter 329."

7        SECTION 6. Section 329D-7, Hawaii Revised Statutes, is  
8 amended to read as follows:

9        "**§329D-7 Medical cannabis dispensary rules.** The  
10 department shall establish standards with respect to:

11        (1) The number of medical cannabis dispensaries that shall  
12            be permitted to operate in the State;

13        (2) A fee structure for the submission of applications and  
14            renewals of licenses to dispensaries; provided that  
15            the department shall consider the market conditions in  
16            each county in determining the license renewal fee  
17            amounts;

18        (3) Criteria and procedures for the consideration and  
19            selection, based on merit, of applications for  
20            licensure of dispensaries; provided that the criteria  
21            shall include but not be limited to an applicant's:



- 1 (A) Ability to operate a business;
- 2 (B) Financial stability and access to financial  
3 resources; provided that applicants for medical  
4 cannabis dispensary licenses shall provide  
5 documentation that demonstrates control of [~~not~~  
6 no less than \$1,000,000 in the form of escrow  
7 accounts, letters of credit, surety bonds, bank  
8 statements, lines of credit or the equivalent to  
9 begin operating the dispensary;
- 10 (C) Ability to comply with the security requirements  
11 developed pursuant to paragraph (6);
- 12 (D) Capacity to meet the needs of qualifying patients  
13 and qualifying out-of-state patients;
- 14 (E) Ability to comply with criminal background check  
15 requirements developed pursuant to paragraph (8);  
16 and
- 17 (F) Ability to comply with inventory controls  
18 developed pursuant to paragraph (13);
- 19 (4) Specific requirements regarding annual audits and  
20 reports required from each production center and  
21 dispensary licensed pursuant to this chapter;



- 1           (5) Procedures for announced and unannounced inspections  
2           by the department or its agents of production centers  
3           and dispensaries licensed pursuant to this chapter;  
4           provided that inspections for license renewals shall  
5           be unannounced;
- 6           (6) Security requirements for the operation of production  
7           centers and retail dispensing locations; provided  
8           that, at a minimum, the following shall be required:
- 9           (A) For production centers:
- 10                 (i) Video monitoring and recording of the  
11                         premises; provided that recordings shall be  
12                         retained for fifty days;
- 13                 (ii) Fencing that surrounds the premises and that  
14                         is sufficient to reasonably deter intruders  
15                         and prevent anyone outside the premises from  
16                         viewing any cannabis in any form;
- 17                 (iii) An alarm system; and
- 18                 (iv) Other reasonable security measures to deter  
19                         or prevent intruders, as deemed necessary by  
20                         the department;



- 1 (B) For retail dispensing locations:
- 2 (i) Presentation of a valid government-issued
- 3 photo identification and a valid
- 4 identification as issued by the department
- 5 pursuant to section 329-123 by a qualifying
- 6 patient or caregiver, or section 329-123.5
- 7 by a qualifying out-of-state patient or
- 8 caregiver of a qualifying out-of-state
- 9 patient, upon entering the premises;
- 10 (ii) Video monitoring and recording of the
- 11 premises; provided that recordings shall be
- 12 retained for fifty days;
- 13 (iii) An alarm system;
- 14 (iv) Exterior lighting; and
- 15 (v) Other reasonable security measures as deemed
- 16 necessary by the department;
- 17 (7) Security requirements for the transportation of
- 18 cannabis and manufactured cannabis products between
- 19 production centers and retail dispensing locations,
- 20 between dispensaries as permitted by section
- 21 329D-6(r), and between a production center, retail



- 1           dispensing location, qualifying patient, primary  
2           caregiver, qualifying out-of-state patient, or  
3           caregiver of a qualifying out-of-state patient and a  
4           certified laboratory, pursuant to section 329-122(f);
- 5       (8) Standards and criminal background checks to ensure the  
6           reputable and responsible character and fitness of all  
7           license applicants, licensees, employees,  
8           subcontractors and their employees, and prospective  
9           employees of medical cannabis dispensaries to operate  
10          a dispensary; provided that the standards, at a  
11          minimum, shall exclude from licensure or employment  
12          any person convicted of any felony;
- 13       (9) The training and certification of operators and  
14          employees of production centers and dispensaries;
- 15       (10) The types of manufactured cannabis products that  
16          dispensaries shall be authorized to manufacture and  
17          sell pursuant to sections 329D-9 and 329D-10;
- 18       (11) Laboratory standards related to testing cannabis and  
19          manufactured cannabis products for content,  
20          contamination, and consistency;



- 1 (12) The quantities of cannabis and manufactured cannabis  
2 products that a dispensary may sell or provide to a  
3 qualifying patient, primary caregiver, qualifying out-  
4 of-state patient, or caregiver of a qualifying out-of-  
5 state patient; provided that no dispensary shall sell  
6 or provide to a qualifying patient, primary caregiver,  
7 qualifying out-of-state patient, or caregiver of a  
8 qualifying out-of-state patient any combination of  
9 cannabis and manufactured products that:
- 10 (A) During a period of fifteen consecutive days,  
11 exceeds the equivalent of four ounces of  
12 cannabis; or
- 13 (B) During a period of thirty consecutive days,  
14 exceeds the equivalent of eight ounces of  
15 cannabis;
- 16 (13) Dispensary and production center inventory controls to  
17 prevent the unauthorized diversion of cannabis or  
18 manufactured cannabis products or the distribution of  
19 cannabis or manufactured cannabis products to a  
20 qualifying patient, primary caregiver, qualifying out-  
21 of-state patient, or caregiver of a qualifying out-of-



1 state patient in quantities that exceed limits  
2 established by this chapter; provided that the  
3 controls, at a minimum, shall include:  
4 (A) A computer software tracking system as specified  
5 in section 329D-6(j) and (k); and  
6 (B) Product packaging standards sufficient to allow  
7 law enforcement personnel to reasonably determine  
8 the contents of an unopened package;  
9 (14) Limitation to the size or format of signs placed  
10 outside a retail dispensing location or production  
11 center; provided that the signage limitations, at a  
12 minimum, shall comply with section 329D-6(o) (2) and  
13 shall not include the image of a cartoon character or  
14 other design intended to appeal to children;  
15 (15) The disposal or destruction of unwanted or unused  
16 cannabis and manufactured cannabis products;  
17 (16) The enforcement of the following prohibitions against:  
18 (A) The sale or provision of cannabis or manufactured  
19 cannabis products to unauthorized persons;  
20 (B) The sale or provision of cannabis or manufactured  
21 cannabis products to a qualifying patient,



1 primary caregiver, qualifying out-of-state  
2 patient, or caregiver of a qualifying out-of-  
3 state patient in quantities that exceed limits  
4 established by this chapter;

5 (C) Any use or consumption of cannabis or  
6 manufactured cannabis products on the premises of  
7 a retail dispensing location or production  
8 center; and

9 (D) The distribution of cannabis or manufactured  
10 cannabis products, for free, on the premises of a  
11 retail dispensing location or production center;

12 (17) The establishment of a range of penalties for  
13 violations of this chapter or rule adopted thereto;  
14 and

15 (18) A process to recognize and register patients who are  
16 authorized to purchase, possess, and use medical  
17 cannabis in another state, a United States territory,  
18 or the District of Columbia as qualifying out-of-state  
19 patients; provided that this registration process may  
20 commence no sooner than January 1, 2018."



1 SECTION 7. Section 329D-13, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§329D-13 Dispensing limits.** (a) A qualifying patient,  
4 primary caregiver, qualifying out-of-state patient, or caregiver  
5 of a qualifying out-of-state patient shall be allowed to  
6 purchase no more than four ounces of cannabis, not including  
7 propagules and cuttings, within a consecutive period of fifteen  
8 days, or no more than eight ounces of cannabis, not including  
9 propagules and cuttings, within a consecutive period of thirty  
10 days.

11 (b) A qualifying patient [~~primary caregiver, qualifying~~  
12 ~~out-of-state patient, or caregiver of a qualifying out-of-state~~  
13 ~~patient may purchase cannabis~~] or primary caregiver authorized  
14 to cultivate cannabis pursuant to section 329-130(a) shall be  
15 allowed to purchase no more than five propagules or cuttings  
16 within a consecutive period of fifteen days, or no more than ten  
17 propagules or cuttings within a consecutive period of thirty  
18 days; provided that:

19 (1) Propagules or cuttings sold by the licensee shall have  
20 undergone laboratory-based testing for residual  
21 pesticides and heavy metals, and shall not be



1           distributed if pesticides or heavy metals are  
2           detected; and

3           (2) This subsection shall not apply to a qualifying out-  
4           of-state patient or a caregiver of a qualifying out-  
5           of-state patient.

6           (c) Purchases under subsections (a) and (b) may be made  
7           from any dispensary location in the State, subject to the limits  
8           and restrictions set forth in [~~subsection~~] subsections (a) [∓]  
9           and (b).

10          [~~(c) Beginning on January 1, 2018, this section~~] (d)  
11          Subsections (a) and (c) may apply to qualifying out-of-state  
12          patients from other states, territories of the United States, or  
13          the District of Columbia[+] attempting to purchase cannabis, not  
14          including propagules and cuttings, provided that the patient  
15          meets the registration requirements of section 329-123.5. "

16          SECTION 8. Statutory material to be repealed is bracketed  
17          and stricken. New statutory material is underscored.

18          SECTION 9. This Act shall take effect on July 1, 2060.



**Report Title:**

Medical Cannabis; Dispensary; Dispensary-to-Dispensary Sales;  
License; Propagules; Cuttings; Department of Health

**Description:**

Authorizes the department of health to allow a licensed dispensary to purchase up to three thousand grams of medical cannabis or manufactured cannabis products from another licensed dispensary to ensure ongoing qualified patient access. Increases the allowable number of production centers and retail dispensing locations per dispensary license. Authorizes medical cannabis dispensaries to distribute cannabis propagules and cuttings to individuals authorized to cultivate cannabis plants for medical use, subject to quantity limits and quality requirements. Effective 7/1/2060. (HD1)

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

