
A BILL FOR AN ACT

RELATING TO THE OFFICE OF MEDICAL CANNABIS CONTROL AND
REGULATION.

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

1 SECTION 1. The legislature finds that Act 159, Session
2 Laws of Hawaii 2018, established the office of medical cannabis
3 control and regulation under the health resources administration
4 of the department of health to administer medical cannabis
5 dispensary licensure and regulation pursuant to chapter 329D,
6 Hawaii Revised Statutes, and the registration of qualifying
7 patients and primary caregivers pursuant to chapter 329,
8 part IX, Hawaii Revised Statutes.

9 The purpose of this Act is to:

- 10 (1) Authorize the department of health to adopt
11 administrative rules to establish patient registration
12 fees beginning in fiscal year 2022;
- 13 (2) Appropriate moneys from the medical cannabis registry
14 and regulation special fund for office of medical
15 cannabis control and regulation positions and
16 operations, including administrative services;



- 1 (3) Establish, hire, and fill one new permanent full-time
2 equivalent position funded by the medical cannabis
3 registry and regulation special fund; and
- 4 (4) Establish a task force to explore the issues and
5 development of a dual system program of legalization
6 for cannabis and the impacts of legalization on
7 qualifying patients, including access to medical
8 marijuana by qualifying patients.

9 SECTION 2. Section 329-123, Hawaii Revised Statutes, is
10 amended by amending subsection (b) to read as follows:

11 "(b) Qualifying patients shall register with the
12 department of health. The registration shall be effective until
13 the expiration of the certificate issued by the department of
14 health and signed by the physician or advanced practice
15 registered nurse. Every qualifying patient shall provide
16 sufficient identifying information to establish the personal
17 identities of the qualifying patient and the primary caregiver.
18 Qualifying patients shall report changes in information within
19 ten working days. Every qualifying patient shall have only one
20 primary caregiver at any given time. The department of health
21 shall issue to the qualifying patient a registration



1 certificate~~[7]~~ and ~~[shall]~~ may charge ~~[\$35 per year.]~~ a fee for
2 the certificate in an amount adopted by rules pursuant to
3 chapter 91."

4 SECTION 3. Section 329-123.5, Hawaii Revised Statutes, is
5 amended by amending subsection (e) to read as follows:

6 "(e) Each qualifying out-of-state patient shall pay a fee
7 ~~[of \$45]~~ in an amount established by rules adopted by the
8 department pursuant to chapter 91 for each registration and
9 renewal."

10 SECTION 4. (a) The office of medical cannabis control and
11 regulation shall convene a task force to explore the development
12 of a dual system program of the legalization for cannabis and
13 the impacts of legalization of cannabis on qualifying patients,
14 including access to medical cannabis by qualifying patients.

15 (b) The office of medical cannabis control and regulation
16 shall submit a report of its findings and recommendations,
17 including any proposed legislation, to the legislature no later
18 than twenty days prior to the convening of the regular session
19 of 2023.

20 SECTION 5. There is appropriated out of the medical
21 cannabis registry and regulation special fund, established



1 pursuant to section 321-30.1, Hawaii Revised Statutes, the sum
2 of \$ or so much thereof as may be necessary for fiscal
3 year 2021-2022 and the same sum or so much thereof as may be
4 necessary for fiscal year 2022-2023 for staff, operations, and
5 administrative services, including the administration of the
6 task force established by section 4 of this Act, of the office
7 of medical cannabis control and regulation, including the
8 establishment of one full-time equivalent (1.00 FTE) permanent
9 position.

10 The sums appropriated shall be expended by the department
11 of health for the purposes of this Act.

12 SECTION 6. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 7. This Act shall take effect on July 1, 2060;
15 provided that section 5 shall take effect on July 1, 2051.



Report Title:

DOH; Office of Medical Cannabis Control and Regulation; Fees;
Task Force; Appropriation

Description:

Authorizes the department of health to set patient registration fees by administrative rulemaking. Appropriates moneys from the medical cannabis registry and regulation special fund for positions and operations, including administrative services, of the office of medical cannabis control and regulation. Requires the office of medical cannabis control and regulation to convene a task force on the effect of legalization of cannabis on qualifying medical cannabis patients. 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.

