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# 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 (OMCCR) under the health resources  
4 administration of the department of health to administer medical  
5 cannabis dispensary licensure and regulation pursuant to chapter  
6 329D, Hawaii Revised Statutes, and the registration of  
7 qualifying patients and primary caregivers pursuant to chapter  
8 329, part IX, Hawaii Revised Statutes.

9           The purpose of this Act is to allow the department of  
10 health to fully operationalize the office of medical cannabis  
11 control and regulation to ensure patient access and regulatory  
12 oversight of the licensed dispensaries by:

13           (1) Appropriating moneys from the medical cannabis  
14 registry and regulation special fund for OMCCR  
15 positions and operations;



1           (2) Establishing, hiring, and filling three new permanent  
2           full-time equivalent positions (3.0 FTE) funded by the  
3           medical cannabis registry and regulation special fund;  
4           and

5           (3) Authorizing the department of health to adopt  
6           administrative rules to establish patient registration  
7           fees beginning in fiscal year 2022.

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

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



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

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

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

8 SECTION 4. There is appropriated out of the medical  
9 cannabis registry and regulation special fund, established  
10 pursuant to section 321-30.1, Hawaii Revised Statutes, the sum  
11 of \$ or so much thereof as may be necessary for fiscal  
12 year 2021-2022 and the same sum or so much thereof as may be  
13 necessary for fiscal year 2022-2023 for staff and operations of  
14 the office of medical cannabis control and regulation, including  
15 the establishment of three permanent full-time equivalent (3.00  
16 FTE) positions.

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

19 SECTION 5. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.



1 SECTION 6.. This Act shall take effect on July 1, 2050;  
2 provided that section 4 shall take effect on July 1, 2051.



**Report Title:**

DOH; Office of Medical Cannabis Control and Regulation; Fees

**Description:**

Authorizes the department of health to set patient registration fees by administrative rulemaking, adds 3.0 FTE positions for staff and operations of the office of medical cannabis control and regulation. Appropriates moneys from the medical cannabis registry and regulation special fund for positions and operations. Effective 7/1/2050. Appropriates moneys effective on 7/1/2051. (SD2)

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

