

JAN 22 2021

A BILL FOR AN ACT

RELATING TO MEDICAL CANNABIS.

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

1 SECTION 1. The legislature finds that restricting the
2 interisland transportation of cannabis by patients for their
3 personal medical use is contrary to the intent of Hawaii laws
4 that authorize qualifying patients to use medical cannabis.

5 Accordingly, the purpose of this Act is to protect the
6 rights of qualifying patients to use medical cannabis by
7 specifically authorizing the interisland transportation of
8 cannabis for personal medical use.

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

11 "(f) For the purposes of this section, "transport" means
12 the transportation of cannabis, usable cannabis, or any
13 manufactured cannabis product between:

14 (1) A qualifying patient and the qualifying patient's
15 primary caregiver;



S.B. NO. 241

- 1 (2) A qualifying out-of-state patient under eighteen years
- 2 of age and the caregiver of a qualifying out-of-state
- 3 patient;
- 4 (3) The production centers and the retail dispensing
- 5 locations under a dispensary licensee's license; or
- 6 (4) A production center, retail dispensing location,
- 7 qualifying patient, primary caregiver, qualifying out-
- 8 of-state patient, or caregiver of a qualifying out-of-
- 9 state patient and a certified laboratory for the
- 10 purpose of laboratory testing; provided that a
- 11 qualifying patient, primary caregiver, qualifying out-
- 12 of-state patient, or caregiver of a qualifying out-of-
- 13 state patient may only transport up to one gram of
- 14 cannabis per test to a certified laboratory for
- 15 laboratory testing and may only transport the product
- 16 if the qualifying patient, primary caregiver,
- 17 qualifying out-of-state patient, or caregiver of a
- 18 qualifying out-of-state patient:
- 19 (A) Secures an appointment for testing at a certified
- 20 laboratory;



- 1 (B) Obtains confirmation, which may be electronic,
2 that includes the specific time and date of the
3 appointment and a detailed description of the
4 product and amount to be transported to the
5 certified laboratory for the appointment; and
- 6 (C) Has the confirmation, which may be electronic,
7 available during transport.

8 For purposes of interisland transportation, "transport" of
9 cannabis, usable cannabis, or any manufactured cannabis product,
10 by any means is allowable only by a qualifying patient or
11 qualifying out-of-state patient for the patient's personal
12 medical use, or between a production center or retail dispensing
13 location and a certified laboratory for the sole purpose of
14 laboratory testing pursuant to section 329D-8, as permitted
15 under section 329D-6(m) and subject to section 329D-6(j), and
16 with the understanding that state law and its protections do not
17 apply outside of the jurisdictional limits of the State.

18 Allowable transport pursuant to this section does not include
19 interisland transportation by any means or for any purpose
20 between a qualified patient, primary caregiver, qualifying out-
21 of-state patient, or caregiver of a qualifying out-of-state



S.B. NO. 241

1 patient and any other entity or individual, including an
2 individual who is a qualified patient, primary caregiver,
3 qualifying out-of-state patient, or caregiver of a qualifying
4 out-of-state patient."

5 SECTION 3. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 4. New statutory material is underscored.

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

10

INTRODUCED BY: _____

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and appears to be the name of the legislator who introduced the bill.

S.B. NO. 241

Report Title:

Cannabis; Medical Use; Interisland Transportation; Authorization

Description:

Authorizes qualifying patients and qualifying out-of-state patients to transport cannabis between islands of the State for personal medical use.

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

