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 Hawai'i 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;

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

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 on May 6, 2137.

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. Effective 5/6/2137. (SD1)

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