

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO MARIJUANA.

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

1 SECTION 1. Section 706-622.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (5) to read as follows:

3 "(5) Upon motion from a person convicted for the  
4 possession of marijuana under section 712-1249 arising from a  
5 set of facts and circumstances that resulted in no other  
6 criminal charge, the court shall grant an expungement order  
7 pertaining to the conviction for the offense; provided that the  
8 amount of marijuana for which the person was convicted of  
9 possessing was [~~three grams~~] one ounce or less."

10 SECTION 2. Section 712-1249, Hawaii Revised Statutes, is  
11 amended by amending subsection (2) to read as follows:

12 "(2) Promoting a detrimental drug in the third degree is a  
13 petty misdemeanor; provided that possession of [~~three grams~~] one  
14 ounce or less of marijuana is a violation, punishable by a fine  
15 of \$130."

16 SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.



# S.B. NO. 758

1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'C. L. ...', written over a horizontal line.

# S.B. NO. 758

**Report Title:**

Marijuana; Penal Code; Violation; Criminal Records; Expungement

**Description:**

Increases from 3 grams to 1 ounce: (1) the minimum amount of marijuana that a defendant must possess to be charged with a petty misdemeanor; and (2) the maximum amount of marijuana that a defendant convicted of possessing marijuana could have possessed without being disqualified from the subsequent expungement of the record of that conviction.

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

