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# A BILL FOR AN ACT

RELATING TO HAWAIIAN AFFAIRS.

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

1           SECTION 1. The legislature finds that article XII, section  
2 2, of the Hawaii State Constitution states in part: "The State  
3 and its people do further agree and declare that the spirit of  
4 the Hawaiian Homes Commission Act looking to the continuance of  
5 the Hawaiian homes projects for the further rehabilitation of  
6 the Hawaiian race shall be faithfully carried out." Affording  
7 the opportunity to utilize lands designated for agriculture by  
8 the department of Hawaiian home lands would allow for increased  
9 revenue for both beneficiaries and the department of Hawaiian  
10 home lands.

11           The purpose of this Act is to increase the number of  
12 medical cannabis dispensaries by requiring the department of  
13 health to issue eight dispensary licenses to the department of  
14 Hawaiian home lands.

15           SECTION 2. Chapter 329D, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:



1           "§329D-        Medical cannabis dispensaries on Hawaiian home  
2 lands. (a) The department shall issue to the department of  
3 Hawaiian home lands eight dispensary licenses; provided that two  
4 dispensary licenses shall be issued for the city and county of  
5 Honolulu; three dispensary licenses shall be issued for the  
6 county of Hawaii with one for east Hawaii, one for north Hawaii,  
7 and one for west Hawaii; two dispensary licenses shall be issued  
8 for the county of Maui, one for Maui and one for Molokai; and  
9 one dispensary license shall be issued for the county of Kauai.

10           (b) The department shall advise and assist the department  
11 of Hawaiian home lands in establishing a license application  
12 procedure and verification in accordance with section 329D-4 and  
13 the selection process in accordance with section 329D-5 to  
14 include the criteria of section 329D-7(3).

15           (c) Each application for a dispensary license shall  
16 include both an individual applicant and an applying entity.  
17 The application shall be submitted to the department of Hawaiian  
18 home lands and shall include supporting documentation to  
19 establish the following:

20           (1) That the individual applicant:



- 1           (A) Is native Hawaiian as defined in section 201 of
- 2           the Hawaiian Homes Commission Act;
- 3           (B) Has been a legal resident of the State for not
- 4           less than five years preceding the date of
- 5           application;
- 6           (C) Is not less than eighteen years of age; and
- 7           (D) Has had no felony convictions;
- 8        (2) That the applying entity:
- 9           (A) Has been organized under the laws of the State;
- 10          (B) Has a Hawaii tax identification number;
- 11          (C) Has a department of commerce and consumer affairs
- 12          business registration division number and suffix;
- 13          (D) Has a federal employer identification number;
- 14          (E) Is not less than fifty-one per cent held by
- 15          native Hawaiians as defined in section 201 of the
- 16          Hawaiian Homes Commission Act or entities wholly
- 17          controlled by native Hawaiians as defined in
- 18          section 201 of the Hawaiian Homes Commission Act
- 19          who have been Hawaii legal residents for not less
- 20          than five years immediately preceding the date
- 21          the application was submitted;



1           (F) Has financial resources under its control of not  
 2           less than \$1,000,000 for the license applied for,  
 3           plus not less than \$100,000 for each retail  
 4           dispensing location allowed under the license  
 5           applied for, in the form of bank statements or  
 6           escrow accounts, and that the financial resources  
 7           have been under the control of the applying  
 8           entity for not less than ninety days immediately  
 9           preceding the date the application was submitted;  
 10          and

11          (G) Is composed of principals or members, each of  
 12          whom has no felony convictions.

13 A dispensary license shall not be sold or otherwise transferred  
 14 from one person to another person. No person may be granted  
 15 more than one dispensary license.

16          (d) Medical cannabis production centers and dispensaries  
 17 on Hawaiian home lands are not subject to county zoning,  
 18 ordinances, rules, or regulations."

19          SECTION 3. The provisions of the amendments made by this  
 20 Act to the Hawaiian Homes Commission Act, 1920, as amended, are  
 21 declared to be severable, and if any section, sentence, clause,



1 or phrase, or the application thereof to any person or  
2 circumstances is held ineffective because there is a requirement  
3 of having the consent of the United States to take effect, then  
4 that portion only shall take effect upon the granting of consent  
5 by the United States and effectiveness of the remainder of these  
6 amendments or the application thereof shall not be affected.

7 SECTION 4. New statutory material is underscored.

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



**Report Title:**

Department of Hawaiian Home Lands; Medical Cannabis;  
Dispensaries

**Description:**

Requires the Department of Health to issue medical cannabis dispensary licenses to the Department of Hawaiian Home Lands, allowing for increased revenue for beneficiaries. (SD2)

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

