
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:

- 12 (1) Increase the number of medical cannabis dispensaries
13 in the State by requiring the department of health to
14 issue eight dispensary licenses to the department of
15 Hawaiian home lands;
- 16 (2) Require the department of Hawaiian home lands to study
17 the feasibility and revenue to be generated by medical



1 cannabis dispensaries, limited gaming, and other
2 potential revenue-generating options on Hawaiian home
3 lands.

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

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

16 (b) The department shall advise and assist the department
17 of Hawaiian home lands in establishing a license application
18 procedure and verification process in accordance with section
19 329D-4 and the selection process in accordance with section
20 329D-5 to include the criteria of section 329D-7(3).



1 (c) Each application for a dispensary license shall
2 include both an individual applicant and an applying entity.
3 The application shall be submitted to the department of Hawaiian
4 home lands and shall include supporting documentation to
5 establish:

6 (1) That the individual applicant:

7 (A) Is native Hawaiian, as defined in section 201 of
8 the Hawaiian Homes Commission Act, 1920;

9 (B) Has been a legal resident of the State for not
10 less than five years preceding the date of
11 application;

12 (C) Is not less than eighteen years of age; and

13 (D) Has had no felony convictions;

14 (2) That the applying entity:

15 (A) Has been organized under the laws of the State;

16 (B) Has a Hawaii tax identification number;

17 (C) Has a department of commerce and consumer affairs
18 business registration division number and suffix;

19 (D) Has a federal employer identification number;

20 (E) Is not less than fifty-one per cent held by
21 native Hawaiians, as defined in section 201 of



1 the Hawaiian Homes Commission Act, 1920, or
2 entities wholly controlled by native Hawaiians,
3 as defined in section 201 of the Hawaiian Homes
4 Commission Act, 1920, who have been Hawaii legal
5 residents for not less than five years
6 immediately preceding the date the application
7 was submitted;

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

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



1 A dispensary license shall not be sold or otherwise transferred
2 from one person to another person. No person may be granted
3 more than one dispensary license.

4 (d) Medical cannabis production centers and dispensaries
5 on Hawaiian home lands shall not be subject to county zoning,
6 ordinances, rules, or regulations."

7 SECTION 3. The department of Hawaiian home lands shall
8 conduct a study on the feasibility and revenue to be generated
9 by:

- 10 (1) Medical cannabis dispensaries on Hawaiian home lands;
- 11 (2) Limited gaming, in the form of a single gaming
- 12 facility on Hawaiian home lands designated for
- 13 commercial use; and

- 14 (3) Other potential revenue-generating options on Hawaiian
- 15 home lands,

16 to address historic funding shortfalls exacerbated by the
17 economic shutdown from the coronavirus disease 2019 (COVID-19)
18 pandemic.

19 (b) The study shall consider public-private partnership
20 options, cost estimates, and other implementation requirements.



1 (c) The department shall submit a report of its findings
2 and recommendations, including any proposed legislation, to the
3 legislature no later than twenty days prior to the convening of
4 the regular session of 2022.

5 SECTION 4. The provisions of the amendments made by this
6 Act to the Hawaiian Homes Commission Act, 1920, as amended, are
7 declared to be severable, and if any section, sentence, clause,
8 or phrase, or the application thereof to any person or
9 circumstances is held ineffective because there is a requirement
10 of having the consent of the United States to take effect, then
11 that portion only shall take effect upon the granting of consent
12 by the United States and effectiveness of the remainder of these
13 amendments or the application thereof shall not be affected.

14 SECTION 5. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

DHHL; DOH; Medical Cannabis; Dispensaries; Gaming; Study

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. Requires the Department of Hawaiian Home Lands to study the feasibility and revenue to be generated by medical cannabis dispensaries, limited gaming, and other potential revenue-generating options on Hawaiian home lands. Effective 7/1/2050. (SD3)

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

