
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~~] thirty grams 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~~]
14 thirty grams or less of marijuana is a violation, punishable by
15 a fine of \$130."

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 Statutory material to be repealed is bracketed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



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



S.B. NO. 758
S.D. 1

Report Title:

Marijuana; Penal Code; Violation; Criminal Records; Expungement

Description:

Increases from three grams to thirty grams: (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. (SD1)

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