

JAN 2 1 2022

A BILL FOR AN ACT

RELATING TO CANNABIS.

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

1 SECTION 1. The legislature finds that amendments to
2 chapter 329D, Hawaii Revised Statutes, are warranted to clarify
3 legislative intent, ensure smooth administration of the medical
4 cannabis dispensary system law, allow for adequate qualifying
5 patient access based on experiences in other states that have a
6 sensible medical cannabis program, and resolve other issues that
7 have arisen under the existing law.

8 The purpose of this Act is to:

- 9 (1) Authorize the department of health to allow a licensed
10 dispensary to purchase up to three thousand grams of
11 medical cannabis or manufactured cannabis products
12 from another licensed dispensary located on the same
13 island to ensure ongoing qualifying patient access;
- 14 (2) Increase the allowable number of production centers
15 and retail dispensing locations per dispensary
16 license;



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- 1 (3) Limit where qualifying patients can obtain medical
2 cannabis or manufactured cannabis products after
3 December 31, 2022;
- 4 (4) Authorize the department of health to set the fee
5 structure for the submission of applications for each
6 additional production center and retail dispensing
7 location and for dispensary-to-dispensary sales;
- 8 (5) Authorize the department of health or law enforcement,
9 upon the request of the department, to conduct
10 administrative inspections of registered grow sites to
11 ensure compliance with cannabis plant limits;
- 12 (6) Clarify that so long as federal law prohibits the
13 transportation of medical cannabis over a body of
14 water, dispensary-to-dispensary sales may only occur
15 between dispensaries located on the same island; and
- 16 (7) Clarify that the transport of cannabis to another
17 county or island for the sole purposes of laboratory
18 testing is permissible only if no certified laboratory
19 is located in the county or on the island where the
20 dispensary is located.



1 SECTION 2. Section 329-122, Hawaii Revised Statutes, is
2 amended by amending subsection (f) to read as follows:

3 "(f) For the purposes of this section, "transport" means
4 the transportation of cannabis, usable cannabis, or any
5 manufactured cannabis product between:

6 (1) A qualifying patient and the qualifying patient's
7 primary caregiver;

8 (2) A qualifying out-of-state patient under eighteen years
9 of age and the caregiver of a qualifying out-of-state
10 patient;

11 (3) The production centers and the retail dispensing
12 locations under a dispensary licensee's license; [~~or~~]

13 (4) Dispensaries as permitted by section 329D-6(r);
14 provided that so long as federal law prohibits
15 transportation of medical cannabis over a body of
16 water, a selling dispensary may only sell and
17 transport up to three thousand grams of cannabis or
18 manufactured cannabis products to a purchasing
19 dispensary located on the same island as the selling
20 dispensary; or



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1 [~~4~~] (5) A production center, retail dispensing location,
2 qualifying patient, primary caregiver, qualifying out-
3 of-state patient, or caregiver of a qualifying out-of-
4 state patient and a certified laboratory for the
5 purpose of laboratory testing; provided that a
6 qualifying patient, primary caregiver, qualifying out-
7 of-state patient, or caregiver of a qualifying out-of-
8 state patient may only transport up to one gram of
9 cannabis per test to a certified laboratory for
10 laboratory testing and may only transport the product
11 if the qualifying patient, primary caregiver,
12 qualifying out-of-state patient, or caregiver of a
13 qualifying out-of-state patient:

14 (A) Secures an appointment for testing at a certified
15 laboratory;

16 (B) Obtains confirmation, which may be electronic,
17 that includes the specific time and date of the
18 appointment and a detailed description of the
19 product and amount to be transported to the
20 certified laboratory for the appointment; and



1 (C) Has the confirmation, which may be electronic,
2 available during transport.

3 For purposes of interisland transportation, "transport" of
4 cannabis, usable cannabis, or any manufactured cannabis product,
5 by any means is allowable only between dispensaries as permitted
6 by section 329D-6(r) and between a production center or retail
7 dispensing location and a certified laboratory for the sole
8 purpose of laboratory testing pursuant to section 329D-8, as
9 permitted under section 329D-6(m) and subject to section
10 329D-6(j), and with the understanding that state law and its
11 protections do not apply outside of the jurisdictional limits of
12 the State[-]; provided that so long as federal law prohibits
13 transportation of medical cannabis over a body of water, a
14 selling dispensary may only sell and transport up to three
15 thousand grams of cannabis or manufactured cannabis products to
16 a purchasing dispensary located on the same island as the
17 selling dispensary. Allowable transport pursuant to this
18 section does not include interisland transportation by any means
19 or for any purpose between a [~~qualified~~] qualifying patient,
20 primary caregiver, qualifying out-of-state patient, or caregiver
21 of a qualifying out-of-state patient and any other entity or



1 individual, including an individual who is a [~~qualified~~]
2 qualifying patient, primary caregiver, qualifying out-of-state
3 patient, or caregiver of a qualifying out-of-state patient."

4 SECTION 3. Section 329-130, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) After December 31, [~~2023,~~] 2022, a qualifying patient
7 shall obtain medical cannabis or manufactured cannabis products
8 only:

- 9 (1) From a dispensary licensed pursuant to chapter 329D;
10 provided that the cannabis shall be purchased and paid
11 for at the time of purchase; or
- 12 (2) By cultivating cannabis in an amount that does not
13 exceed an adequate supply for the qualifying patient,
14 pursuant to section 329-122; provided that each
15 location used to cultivate cannabis shall be used by
16 no more than five qualifying patients[~~-~~]; and provided
17 further that the department, or law enforcement upon
18 the request of the department, may make inspections,
19 including onsite inspections for criminal and
20 administrative purposes, of registered grow sites to



1 verify compliance with the requirements of this
2 chapter pursuant to authority under this chapter.

3 After December 31, 2023, no primary caregiver shall be
4 authorized to cultivate cannabis for any qualifying patient."

5 SECTION 4. Section 329D-1, Hawaii Revised Statutes, is
6 amended by amending the definitions of "medical cannabis
7 dispensary" or "dispensary" and "medical cannabis production
8 center" or "production center" to read as follows:

9 "Medical cannabis dispensary" or "dispensary" means a
10 person licensed by the State pursuant to this chapter to own,
11 operate, or subcontract up to [~~two~~] _____ production centers
12 and up to [~~two~~] _____ retail dispensing locations.

13 "Medical cannabis production center" or "production center"
14 means a farm or facility wholly owned, operated, or
15 subcontracted by a person licensed by the State pursuant to this
16 chapter as a medical cannabis dispensary that produces cannabis
17 and manufactured cannabis products [~~solely~~] to supply cannabis
18 and manufactured cannabis products to one or more of the retail
19 dispensing locations of [~~the~~] any licensed medical cannabis
20 dispensary."



1 SECTION 5. Section 329D-2, Hawaii Revised Statutes, is
2 amended by amending subsections (f) and (g) to read as follows:

3 "(f) Up to [~~two~~] _____ production centers shall be allowed
4 under each dispensary license; provided that, except as
5 otherwise specified in subsection (k), each production center
6 shall be limited to no more than three thousand cannabis plants.
7 For purposes of this subsection, "plant" means a cannabis plant
8 that is greater than twelve vertical inches in height from where
9 the base of the stalk emerges from the growth medium to the
10 tallest point of the plant, or greater than twelve horizontal
11 inches in width from the end of one branch to the end of another
12 branch; provided that multiple stalks emanating from the same
13 root ball or root system shall be considered part of the same
14 single plant.

15 (g) A dispensary licensee may establish up to [~~two~~] _____
16 retail dispensing locations under the licensee's dispensary
17 license, except as otherwise specified in subsection (l)."

18 SECTION 6. Section 329D-4, Hawaii Revised Statutes, is
19 amended as follows:

20 1. By amending subsection (c) to read:



1 "(c) A nonrefundable application fee [~~of \$5,000~~] for each
2 license application shall be submitted to the department by
3 certified or cashier's check. Within seven days of approval, a
4 dispensary license fee [~~\$75,000~~] for each license approved
5 shall be submitted to the department by certified or cashier's
6 check or the department shall issue a license to the next
7 qualified applicant."

8 2. By amending subsection (n) to read:

9 "(n) A dispensary license may be renewed annually by
10 payment of an annual renewal fee [~~of \$50,000~~] and subject to
11 verification by the department through an unannounced inspection
12 that the individual licensee and entity licensee continue to
13 meet all licensing requirements from the date the initial
14 licenses were issued."

15 SECTION 7. Section 329D-6, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§329D-6 Dispensary operations.** (a) No person shall
18 operate a dispensary, nor engage in the production, manufacture,
19 or sale of cannabis or manufactured cannabis products, unless
20 the person has obtained a license from the department pursuant
21 to this chapter.



1 (b) No dispensary licensee, its officers, employees, or
2 agents shall provide written certification for the use of
3 medical cannabis or manufactured cannabis products for any
4 person.

5 (c) No person under the age of twenty-one shall be
6 employed by a dispensary licensee.

7 (d) Notwithstanding any other law to the contrary,
8 including but not limited to sections 378-2 and 378-2.5,
9 dispensaries:

10 (1) Shall deny employment to any individual who has been:

11 (A) Convicted of murder in any degree;

12 (B) Convicted of a class A or class B felony; or

13 (C) Convicted of a class C felony involving

14 trafficking, distributing, or promoting a

15 schedule I or II controlled substance other than

16 cannabis within the last ten years; and

17 (2) May deny employment to any individual who has been
18 convicted of a class C felony involving:

19 (A) Fraud, deceit, misrepresentation, embezzlement,
20 or theft; or

21 (B) Endangering the welfare of a minor.



1 Employment under this chapter shall be exempt from section
2 378-2(a)(1), as it relates to arrest and court record
3 discrimination, and section 378-2.5.

4 (e) Retail dispensing locations shall not be open for
5 retail sales before 8:00 a.m. or after 8:00 p.m., Hawaii-
6 Aleutian Standard Time, Monday through Sunday.

7 (f) All dispensary facilities, including but not limited
8 to production centers and retail dispensing locations, shall be
9 enclosed indoor facilities and shall maintain twenty-four hour
10 security measures, including but not limited to an alarm system,
11 video monitoring and recording on the premises, and exterior
12 lighting. A dispensary licensee who intends to utilize, as a
13 production center, an enclosed indoor facility that includes a
14 roof that is partially or completely transparent or translucent,
15 as provided under section 329D-1, shall notify the department of
16 that intention [~~prior to~~] before altering or constructing the
17 facility. Production centers shall remain locked at all times.
18 Retail dispensing locations shall remain locked at all times,
19 other than business hours as authorized by subsection (e), and
20 shall only be opened for authorized persons.



1 (g) In all dispensary facilities, only the licensee, if an
2 individual, registered employees of the dispensary licensee,
3 registered employees of a subcontracted production center or
4 retail dispensing location, employees of a certified laboratory
5 for testing purposes, state employees authorized by the director
6 of health, and law enforcement and other government officials
7 acting in their official capacity shall be permitted to touch or
8 handle any cannabis or manufactured cannabis products, except
9 that a qualifying patient, primary caregiver, qualifying out-of-
10 state patient, or caregiver of a qualifying out-of-state patient
11 may receive manufactured cannabis products at a retail
12 dispensing location following completion of a sale.

13 (h) A dispensary shall provide the department with the
14 address, tax map key number, and a copy of the premises lease,
15 if applicable, of the proposed location of a production center
16 allowed under a license for a county [~~not~~] no later than thirty
17 days [~~prior to~~] before any medical cannabis or manufactured
18 cannabis products being produced or manufactured at that
19 production center.

20 (i) A dispensary shall provide the department with the
21 address, tax map key number, and a copy of the premises lease,



1 if applicable, of the proposed location of each retail
2 dispensing location allowed under a license [~~not~~] no less than
3 sixty days [~~prior to~~] before opening for business.

4 (j) The department shall establish, maintain, and control
5 a computer software tracking system that shall have real time,
6 twenty-four-hour access to the data of all dispensaries.

7 (1) The computer software tracking system shall collect
8 data relating to:

9 (A) The total amount of cannabis in possession of all
10 dispensaries from either seed or immature plant
11 state, including all plants that are derived from
12 cuttings or cloning, until the cannabis, cannabis
13 plants, or manufactured cannabis product is sold
14 or destroyed pursuant to section 329D-7;

15 (B) The total amount of manufactured cannabis product
16 inventory, including the equivalent physical
17 weight of cannabis that is used to manufacture
18 manufactured cannabis products, purchased by a
19 qualifying patient, primary caregiver, qualifying
20 out-of-state patient, and caregiver of a
21 qualifying out-of-state patient from all retail



1 dispensing locations in the State in any fifteen-
2 day period;

3 (C) The amount of waste produced by each plant at
4 harvest; and

5 (D) The transport of cannabis and manufactured
6 cannabis products between production centers and
7 retail dispensing locations [7] and as permitted
8 by subsection (r), including tracking
9 identification issued by the tracking system, the
10 identity of the person transporting the cannabis
11 or manufactured cannabis products, and the make,
12 model, and license number of the vehicle being
13 used for the transport;

14 (2) The procurement of the computer software tracking
15 system established pursuant to this subsection shall
16 be exempt from chapter 103D; provided that:

17 (A) The department shall publicly solicit at least
18 three proposals for the computer software
19 tracking system; and



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1 (B) The selection of the computer software tracking
2 system shall be approved by the director of the
3 department and the chief information officer; and
4 (3) Notwithstanding any other provision of this subsection
5 to the contrary, once the department has authorized a
6 licensed dispensary to commence sales of cannabis or
7 manufactured cannabis products, if the department's
8 computer software tracking system is inoperable or is
9 not functioning properly, as an alternative to
10 requiring dispensaries to temporarily cease
11 operations, the department may implement an alternate
12 tracking system that will enable a qualifying patient,
13 primary caregiver, qualifying out-of-state patient,
14 and caregiver of a qualifying out-of-state patient to
15 purchase cannabis or manufactured cannabis products
16 from a licensed dispensary on a temporary basis. The
17 department shall seek input regarding the alternate
18 tracking system from medical cannabis licensees. The
19 alternate tracking system may operate as follows:



1 (A) The department may immediately notify all
2 licensed dispensaries that the computer software
3 tracking system is inoperable; and

4 (B) Once the computer software tracking system is
5 operational and functioning to meet the
6 requirements of this subsection, the department
7 may notify all licensed dispensaries, and the
8 alternate tracking system in this subsection
9 shall be discontinued.

10 (k) A dispensary licensed pursuant to this chapter shall
11 purchase, operate, and maintain a computer software tracking
12 system that shall:

13 (1) Interface with the department's computer software
14 tracking system established pursuant to subsection
15 (j);

16 (2) Allow each licensed dispensary's production center to
17 submit to the department in real time, by automatic
18 identification and data capture, all cannabis,
19 cannabis plants, and manufactured cannabis product
20 inventory in possession of that dispensary from either
21 seed or immature plant state, including all plants



1 that are derived from cuttings or cloning, until the
2 cannabis or manufactured cannabis product is sold or
3 destroyed pursuant to section 329D-7;

4 (3) Allow the licensed dispensary's retail dispensing
5 location to submit to the department in real time for
6 the total amount of cannabis and manufactured cannabis
7 product purchased by a qualifying patient, primary
8 caregiver, qualifying out-of-state patient, and
9 caregiver of a qualifying out-of-state patient from
10 the dispensary's retail dispensing locations in the
11 State in any fifteen day period; provided that the
12 software tracking system shall impose an automatic
13 stopper in real time, which cannot be overridden, on
14 any further purchases of cannabis or manufactured
15 cannabis products, if the maximum allowable amount of
16 cannabis has already been purchased for the applicable
17 fifteen day period; provided further that additional
18 purchases shall not be permitted until the next
19 applicable period; and

20 (4) Allow the licensed dispensary to submit all data
21 required by this subsection to the department and



1 permit the department to access the data if the
2 department's computer software tracking system is not
3 functioning properly and sales are made pursuant to
4 the alternate tracking system under subsection (j).

5 (l) No free samples of cannabis or manufactured cannabis
6 products shall be provided at any time, and no consumption of
7 cannabis or manufactured cannabis products shall be permitted on
8 any dispensary premises.

9 (m) [A] Except as permitted pursuant to subsection (r), a
10 dispensary shall not transport cannabis or manufactured cannabis
11 products to another county or another island; provided that this
12 subsection shall not apply to the transportation of cannabis or
13 any manufactured cannabis product solely for the purposes of
14 laboratory testing pursuant to section 329D-8, and subject to
15 subsection (j) [7], if no certified laboratory is located in the
16 county or on the island where the dispensary is located;
17 provided further that a dispensary shall only transport samples
18 of cannabis and manufactured cannabis products for laboratory
19 testing for purposes of this subsection in an amount and manner
20 prescribed by the department, in rules adopted pursuant to this
21 chapter, and with the understanding that state law and its



1 protections do not apply outside of the jurisdictional limits of
2 the State.

3 (n) A dispensary shall be prohibited from off-premises
4 delivery of cannabis or manufactured cannabis products to a
5 qualifying patient, primary caregiver, qualifying out-of-state
6 patient, or caregiver of a qualifying out-of-state patient.

7 (o) A dispensary shall not:

8 (1) Display cannabis or manufactured cannabis products in
9 windows or in public view; or

10 (2) Post any signage other than a single sign no greater
11 than one thousand six hundred square inches bearing
12 only the business or trade name in text without any
13 pictures or illustrations; provided that if any
14 applicable law or ordinance restricting outdoor
15 signage is more restrictive, that law or ordinance
16 shall govern.

17 (p) No cannabis or manufactured cannabis products shall be
18 transported to, from, or within any federal fort or arsenal,
19 national park or forest, any other federal enclave, or any other
20 property possessed or occupied by the federal government.



1 (q) A dispensary licensed pursuant to this chapter shall
2 be prohibited from providing written certification pursuant to
3 section 329-122 for the use of medical cannabis for any person.

4 (r) The department may permit a dispensary to purchase
5 cannabis and manufactured cannabis products from another
6 dispensary in a manner prescribed by the department by rules
7 adopted pursuant to this chapter and chapter 91; provided that:

8 (1) The purchasing dispensary provides sufficient
9 justification that purchase of the cannabis and
10 manufactured cannabis products from another dispensary
11 is necessary to ensure ongoing qualifying patient
12 access;

13 (2) The selling dispensary may only transport up to three
14 thousand grams of cannabis or manufactured cannabis
15 products to a purchasing dispensary located on the
16 same island as the selling dispensary; and

17 (3) Nothing in this subsection shall relieve any
18 dispensary of its responsibilities and obligations
19 under this chapter and chapter 329."

20 SECTION 8. Section 329D-7, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "§329D-7 Medical cannabis dispensary rules. The
2 department shall establish standards with respect to:

3 (1) The number of medical cannabis dispensaries that shall
4 be permitted to operate in the State;

5 (2) A fee structure for ~~[the]~~:

6 (A) The submission of applications and renewals of
7 licenses to dispensaries; [~~provided that the~~
8 ~~department shall consider the market conditions~~
9 ~~in each county in determining the license renewal~~
10 ~~fee amounts;]~~

11 (B) The submission of applications for each
12 additional production center and each additional
13 retail dispensing location; and

14 (C) Dispensary-to-dispensary sales;
15 provided that the department shall consider market
16 conditions in each county in determining the license
17 renewal fee amounts;

18 (3) Criteria and procedures for the consideration and
19 selection, based on merit, of applications for
20 licensure of dispensaries; provided that the criteria
21 shall include but not be limited to an applicant's:



- 1 (A) Ability to operate a business;
- 2 (B) Financial stability and access to financial
- 3 resources; provided that applicants for medical
- 4 cannabis dispensary licenses shall provide
- 5 documentation that demonstrates control of not
- 6 less than \$1,000,000 in the form of escrow
- 7 accounts, letters of credit, surety bonds, bank
- 8 statements, lines of credit or the equivalent to
- 9 begin operating the dispensary;
- 10 (C) Ability to comply with the security requirements
- 11 developed pursuant to paragraph (6);
- 12 (D) Capacity to meet the needs of qualifying patients
- 13 and qualifying out-of-state patients;
- 14 (E) Ability to comply with criminal background check
- 15 requirements developed pursuant to paragraph (8);
- 16 and
- 17 (F) Ability to comply with inventory controls
- 18 developed pursuant to paragraph (13);
- 19 (4) Specific requirements regarding annual audits and
- 20 reports required from each production center and
- 21 dispensary licensed pursuant to this chapter;



1 (5) Procedures for announced and unannounced inspections
2 by the department or its agents of production centers
3 and dispensaries licensed pursuant to this chapter;
4 provided that inspections for license renewals shall
5 be unannounced;

6 (6) Security requirements for the operation of production
7 centers and retail dispensing locations; provided
8 that, at a minimum, the following shall be required:

9 (A) For production centers:

10 (i) Video monitoring and recording of the
11 premises; provided that recordings shall be
12 retained for fifty days;

13 (ii) Fencing that surrounds the premises and that
14 is sufficient to reasonably deter intruders
15 and prevent anyone outside the premises from
16 viewing any cannabis in any form;

17 (iii) An alarm system; and

18 (iv) Other reasonable security measures to deter
19 or prevent intruders, as deemed necessary by
20 the department;

21 (B) For retail dispensing locations:



- 1 (i) Presentation of a valid government-issued
2 photo identification and a valid
3 identification as issued by the department
4 pursuant to section 329-123 by a qualifying
5 patient or caregiver, or section 329-123.5
6 by a qualifying out-of-state patient or
7 caregiver of a qualifying out-of-state
8 patient, upon entering the premises;
- 9 (ii) Video monitoring and recording of the
10 premises; provided that recordings shall be
11 retained for fifty days;
- 12 (iii) An alarm system;
- 13 (iv) Exterior lighting; and
- 14 (v) Other reasonable security measures as deemed
15 necessary by the department;
- 16 (7) Security requirements for the transportation of
17 cannabis and manufactured cannabis products between
18 production centers and retail dispensing locations,
19 between dispensaries as permitted by section
20 329D-6(r), and between a production center, retail
21 dispensing location, qualifying patient, primary



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- 1 caregiver, qualifying out-of-state patient, or
2 caregiver of a qualifying out-of-state patient and a
3 certified laboratory, pursuant to section 329-122(f);
- 4 (8) Standards and criminal background checks to ensure the
5 reputable and responsible character and fitness of all
6 license applicants, licensees, employees,
7 subcontractors and their employees, and prospective
8 employees of medical cannabis dispensaries to operate
9 a dispensary; provided that the standards, at a
10 minimum, shall exclude from licensure or employment
11 any person convicted of any felony;
- 12 (9) The training and certification of operators and
13 employees of production centers and dispensaries;
- 14 (10) The types of manufactured cannabis products that
15 dispensaries shall be authorized to manufacture and
16 sell pursuant to sections 329D-9 and 329D-10;
- 17 (11) Laboratory standards related to testing cannabis and
18 manufactured cannabis products for content,
19 contamination, and consistency;
- 20 (12) The quantities of cannabis and manufactured cannabis
21 products that a dispensary may sell or provide to a



1 qualifying patient, primary caregiver, qualifying out-
2 of-state patient, or caregiver of a qualifying out-of-
3 state patient; provided that no dispensary shall sell
4 or provide to a qualifying patient, primary caregiver,
5 qualifying out-of-state patient, or caregiver of a
6 qualifying out-of-state patient any combination of
7 cannabis and manufactured products that:

8 (A) During a period of fifteen consecutive days,
9 exceeds the equivalent of four ounces of
10 cannabis; or

11 (B) During a period of thirty consecutive days,
12 exceeds the equivalent of eight ounces of
13 cannabis;

14 (13) Dispensary and production center inventory controls to
15 prevent the unauthorized diversion of cannabis or
16 manufactured cannabis products or the distribution of
17 cannabis or manufactured cannabis products to a
18 qualifying patient, primary caregiver, qualifying out-
19 of-state patient, or caregiver of a qualifying out-of-
20 state patient in quantities that exceed limits



1 established by this chapter; provided that the
2 controls, at a minimum, shall include:

3 (A) A computer software tracking system as specified
4 in section 329D-6(j) and (k); and

5 (B) Product packaging standards sufficient to allow
6 law enforcement personnel to reasonably determine
7 the contents of an unopened package;

8 (14) Limitation to the size or format of signs placed
9 outside a retail dispensing location or production
10 center; provided that the signage limitations, at a
11 minimum, shall comply with section 329D-6(o)(2) and
12 shall not include the image of a cartoon character or
13 other design intended to appeal to children;

14 (15) The disposal or destruction of unwanted or unused
15 cannabis and manufactured cannabis products;

16 (16) The enforcement of the following prohibitions against:

17 (A) The sale or provision of cannabis or manufactured
18 cannabis products to unauthorized persons;

19 (B) The sale or provision of cannabis or manufactured
20 cannabis products to a qualifying patient,
21 primary caregiver, qualifying out-of-state



1 patient, or caregiver of a qualifying out-of-
2 state patient in quantities that exceed limits
3 established by this chapter;

4 (C) Any use or consumption of cannabis or
5 manufactured cannabis products on the premises of
6 a retail dispensing location or production
7 center; and

8 (D) The distribution of cannabis or manufactured
9 cannabis products, for free, on the premises of a
10 retail dispensing location or production center;

11 (17) The establishment of a range of penalties for
12 violations of this chapter or rule adopted thereto;
13 and

14 (18) A process to recognize and register patients who are
15 authorized to purchase, possess, and use medical
16 cannabis in another state, a United States territory,
17 or the District of Columbia as qualifying out-of-state
18 patients; provided that this registration process may
19 commence no sooner than January 1, 2018."

20 SECTION 9. Section 329D-9, Hawaii Revised Statutes, is
21 amended by amending subsection (b) to read as follows:



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1 "(b) The department shall establish health, safety, [~~and~~
2 ~~sanitation~~] manufacturing, and product stability standards
3 regarding the manufacture of manufactured cannabis products."

4 SECTION 10. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 11. This Act shall take effect on July 1, 2022.

7

INTRODUCED BY: Rosalyn H. Berk



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Report Title:

Medical Cannabis; Dispensary; Dispensary-to-Dispensary Sales; License; Department of Health

Description:

Authorizes the Department of Health to allow a licensed dispensary to purchase up to three thousand grams of medical cannabis or manufactured cannabis products from another licensed dispensary to ensure ongoing qualifying patient access. Increases the allowable number of production centers and retail dispensing locations per dispensary license. Places certain limits on where qualifying patients can obtain medical cannabis or manufactured cannabis products after 12/31/22. Authorizes the Department of Health to set fee structures for the submission of applications for each additional production center and retail dispensing location and for dispensary-to-dispensary sales. Permits inspections of registered grow sites by Department of Health or law enforcement to verify compliance with cannabis plant limits for cultivation by qualifying patients. Limits dispensary-to-dispensary sales to those located on the same island, as long as federal law prohibits the transportation of medical cannabis over a body of water. Effective 7/1/2022.

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

