

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1104  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1104, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CANNABIS FOR MEDICAL USE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend the definition of "cannabis" to include cannabis propagules, cuttings, and seeds;
- (2) Define "cannabis cutting" and "cannabis propagule";
- (3) Allow qualifying patients and primary caregivers who are authorized to cultivate cannabis for medical use to purchase cannabis propagules, cuttings, and seeds from licensed dispensaries in the State under certain conditions;
- (4) Establish quantity limits and quality requirements for the dispensing of cannabis propagules, cuttings, and seeds; and
- (5) Require the Department of Health to adopt rules regarding the dispensing of cannabis propagules, cuttings, and seeds.



Your Committee received testimony in support of this measure from Maui Grown Therapies and two individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that existing State law authorizes qualified medical cannabis patients and caregivers to cultivate a limited number of plants at a location that a patient or caregiver owns or controls, but the law does not address how patients can acquire propagative material. Your Committee further finds that existing laws force patients or their primary caregivers to resort to obtaining propagative material through illicit means, which can result in material with unknown genetic provenance or poor therapeutic value. Thus, this measure includes cannabis propagules, cuttings, and seeds in the definition of "cannabis" to establish a legal, transparent channel for the distribution and testing of propagative material through licensed dispensaries in the State.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1104, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,




---

JARRETT KEOHOKALOLE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1104 SDI	HHS, CPN	2/23/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.				✓
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>1</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes