

STAND. COM. REP. NO.

1624

Honolulu, Hawaii

MAR 29, 2023

RE: S.B. No. 671
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 671, S.D. 1, entitled:

"A. BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to specify that testing products utilized in determining whether a controlled substance contains chemicals, toxic substances, or hazardous compounds in quantities that can cause physical harm or death, including fentanyl test strips are excluded from the definition of drug paraphernalia.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Health & Harm Reduction Center, and thirteen individuals.

Your Committee finds that the Centers for Disease Control and Prevention and the Substance Abuse and Mental Health Services Administration encourage the use of federal funds to purchase fentanyl test strips to curb the dramatic spike in drug overdose deaths from the use of synthetic opioids that include illicitly manufactured fentanyl. Your Committee further finds that the Department of Health reported that there were seventy-four fatal opioid poisonings in Hawaii in 2021, fifty of which came from

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synthetic opioids that included fentanyl. This measure improves the prevention and reduction of drug overdoses in the State by allowing fentanyl test strips to be utilized as a valuable public health tool.

Your Committee has amended this measure by:

- (1) By deleting language that excluded testing products, other than fentanyl strips, that are used to determine if a controlled substance contains chemicals, toxic substances, or hazardous compounds in quantities that can cause physical harm or death from the definition of "drug paraphernalia";
- (2) Making the measure effective upon approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 671, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 671, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



