STAND. COM. REP. NO. 3311

Honolulu, Hawaii

#### MAR 2 7 2024

RE: H.B. No. 2443

H.D. 2 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

#### Sir:

Your Committees on Health and Human Services and Commerce and Consumer Protection, to which was referred H.B. No. 2443, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Repeal the sunset date of the authorization for primary caregivers to cultivate medical cannabis for qualifying patients; and
- (2) Clarify that primary caregivers may continue to cultivate medical cannabis for qualifying patients subject to certain restrictions.

Your Committees received testimony in support of this measure from the Office of Medical Cannabis Control and Regulation of the Department of Health, Cannabis Society of Hawai'i, and two individuals.

Your Committees received testimony in opposition to this measure from the Hawai'i Patients Union, Pakaloha Care LLC, Care Waialua LLC, GreenWave Advisors LLC, and fifty-four individuals.

Your Committees received comments on this measure from the Department of the Attorney General, Akamai Cannabis Consulting, Aloha Green Apothecary, and three individuals.

Your Committees find that Act 241, Session Laws of Hawaii 2015 (Act 241), relating to medical cannabis, established a statewide dispensary licensing system for medical cannabis to ensure safe and legal access to medical cannabis for qualifying patients. Your Committees further find that the intent of the Legislature as expressed in Act 241 was, and continues to be, to expand qualifying patient's access to cannabis rather than to replace existing legal access routes, recognizing that some patients may not be able to grow their own supply of medical cannabis due to limitations such as disability or lack of space. This measure ensures that qualifying patients continue to have multiple options for obtaining medical cannabis by permanently allowing their primary caregiver to grow an adequate supply of cannabis for medical use on their behalf.

Your Committees have amended this measure by:

- (1) Increasing the maximum number of qualified patients for which each location used to cultivate cannabis may cultivate cannabis, from five to ten patients;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2443, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2443, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Health and Human Services and Commerce and Consumer Protection,

JARP IT KEOHOKALOLE, Chair

JOY A. SAN BUENAVENTURA, Chair

### The Senate Thirty-Second Legislature State of Hawai'i

# Record of Votes Committee on Health and Human Services HHS

Bill / Resolution No.:* HB 2443, HD 2	Committee Referral: Date: 3/20/24								
The Committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye,	Aye (WR)	Nay	Excused				
SAN BUENAVENTURA, Joy A. (C)					<u> </u>				
AQUINO, Henry J.C. (VC)									
KEOHOKALOLE, Jarrett	·/								
SHIMABUKURO, Maile S.L.									
AWA, Brenton		·							
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TOTAL		3		1	/				
Recommendation:  Adopted Not Adopted									
Chair's or Designee's Signature:									
<b>Distribution:</b> Original File with Committee Re	<u> </u>								

\*Only one measure per Record of Votes

### The Senate Thirty-Second Legislature State of Hawai'i

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

Bill / Resolution No.:*  HB 2443, HD 2	Committee Referral: Date: HHS/CPN, JDC/WAM 3/20/24							
The Committee is reconsidering its previous decision on this measure.								
If so, then the previous decision was to:								
The Recommendation is:								
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313								
Members		Aye	Aye (WR)	Nay	Excused			
KEOHOKALOLE, Jarrett (C)		V						
FUKUNAGA, Carol (VC)								
MCKELVEY, Angus L.K.					~			
RICHARDS, III, Herbert M. "Tim"								
AWA, Brenton								
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TOTAL		3		1	1			
Recommendation:  Adopted  Not Adopted								
Chair's or Designee's Signature:  Onol July app								
Distribution: Original File with Committee	Yellow Pink Goldenrod Report Clerk's Office Drafting Agency Committee File Copy							

\*Only one measure per Record of Votes