

STAND. COM. REP. NO.

1293

Honolulu, Hawaii

MAR 23 2023

RE: H.B. No. 573
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 Health and Human Services, to which was referred H.B. No. 573 entitled:

"A BILL FOR AN ACT RELATING TO FENTANYL TEST STRIPS,"

begs leave to report as follows:

The purpose and intent of this measure is to exclude fentanyl test strips from the definition of "drug paraphernalia" in the Uniform Controlled Substances Act.

Your Committee received testimony in support of this measure from the Department of Health, Community Alliance on Prisons, and four individuals.

Your Committee finds that there were seventy-four fatal opioid poisonings in Hawaii in 2021, fifty of which were caused by synthetic opioids containing fentanyl. Your Committee further finds that fentanyl test strips are a critical and low-cost harm reduction tool that helps prevent fatal overdose. Despite their potential to save lives, fentanyl test strips are classified as drug paraphernalia under existing state law, and possession of a single strip is subject to a fine of up to \$500. This measure therefore legalizes the possession and use of fentanyl test strips to address the rising number of overdose deaths caused by synthetic opioids.

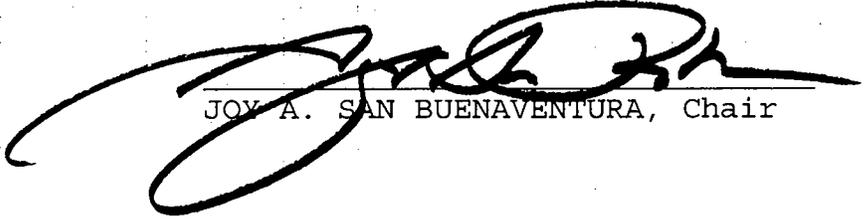
Your Committee has amended this measure by:



- (1) Clarifying that the definition of "drug paraphernalia" does not include 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 but not limited to fentanyl test strips; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 573, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 573, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health and Human
Services,



JOY A. SAN BUENAVENTURA, Chair



