

Honolulu, Hawaii

FEB 15 2024

RE: H.B. No. 70  
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 Committee on Health and Human Services, to which was referred H.B. No. 70, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit the sale or holding, offering, and distribution of hemp products that contain cannabinoids created through isomerization;
- (2) Exempt medical cannabis dispensaries from the prohibition; and
- (3) Insert the alternative name for Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers into the list of schedule I controlled substances.

Your Committee received testimony in support of this measure from the Department of Law Enforcement and the Honolulu Police Department.

Your Committee received testimony in opposition to this measure from one individual.



Your Committee received comments on this measure from the Department of Health.

Your Committee finds that there is currently a black market for psychoactive, hemp-derived CBD products that are not subject to regulation and oversight and are increasing in numbers. Isomerization is the process by which CBD, made from non-psychoactive hemp, is exposed to other easily obtained substances to create a different, now-psychoactive cannabinoid. Your Committee further finds that this isomerization process has introduced a newer, psychoactive CBD product currently unable to be regulated by existing statute. This measure will codify cannabinoids created through isomerization into existing regulatory statute as a schedule I controlled substance.

Your Committee notes the testimony of the Department of Health, requesting that the amendments to section 328G-3, Hawaii Revised Statutes, relating to medical cannabis dispensary licensees be deleted from this measure, as the concerns the amendments seek to resolve have been adequately addressed in statute and administrative rules adopted by the Department of Health. Amendments to this measure are therefore necessary to address this concern.

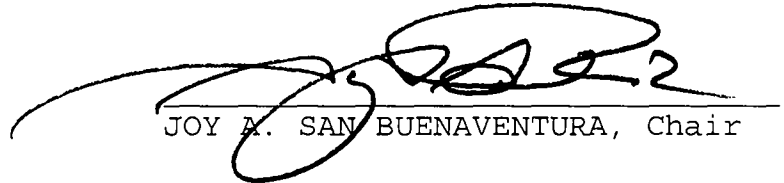
Accordingly, your Committee has amended this measure by:

- (1) Deleting language relating to medical cannabis dispensary licensees to provide assurances that naturally occurring Delta 8 tetrahydrocannabinol can be used in medical cannabis products;
- (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 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. 70, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 70, H.D. 2, 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



