

Honolulu, Hawaii

MAR 01 2024

RE: S.B. No. 2487

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 Judiciary, to which was referred S.B. No. 2487 entitled:

"A BILL FOR AN ACT RELATING TO MARIJUANA,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase the minimum amount of marijuana necessary for a person to commit the offense of promoting a detrimental drug in the second degree from one ounce to more than two ounces;
- (2) Increase the amount of marijuana a person may have for the offense of promoting a detrimental drug in the third degree to be a violation from three grams or less of marijuana to one ounce or less; and
- (3) Amend the fine for a violation under promoting a detrimental drug in the third degree.

Your Committee received testimony in support of this measure from the Office of the Public Defender, one member of the Kaua'i County Council, ACLU of Hawaii, Marijuana Policy Project, Drug Policy Forum of Hawai'i, Hawai'i Public Health Institute, Aloha Green Holdings Inc., Last Prisoner Project, Democratic Party of



Hawai'i, Cannabis Society of Hawai'i, Rainbow Family 808, and five individuals.

Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, and three individuals.

Your Committee received comments on this measure from the Hawaii Substance Abuse Coalition.

Your Committee finds that the consequences of arresting, prosecuting, and incarcerating people for personal drug use are devastating. People who have been convicted of possession of small amounts of marijuana cycle through the criminal justice system and are not able to successfully contribute to society or have the support of their social network. Additionally, a criminal record can carry lasting, detrimental effects on finding employment, housing, and accessing educational opportunities. This measure will make the State's cannabis laws more responsible, just, and equitable.

Your Committee has amended this measure by:

- (1) Changing the minimum amount of marijuana necessary for a person to commit the offense of promoting a detrimental drug in the second degree from more than two ounces to thirty grams or more;
- (2) Deleting language that would have repealed marijuana from the offense of promoting a detrimental drug in the third degree;
- (3) Decreasing the amount of marijuana a person may possess for the offense of promoting a detrimental drug in the third degree to be a violation from one ounce or less of marijuana to fifteen grams or less;
- (4) Deleting language that would have adjusted the fine for committing a violation under the offense of promoting a detrimental drug in the third degree to an unspecified amount; and



- (5) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2487, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2487, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2487	Committee Referral: JDC	Date: 02 16 24
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)				✓
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	4	0	0	1

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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***Only one measure per Record of Votes**