

STAND. COM. REP. NO. **2562**

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 3132
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 S.B. No. 3132 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 Department of Health and three individuals.

Your Committees received testimony in opposition to this measure from 434 Tattoo and forty-six individuals.

Your Committees received comments on this measure from Akamai Cannabis Consulting.

Your Committees find that existing state law recognizes the beneficial use of cannabis in treating certain debilitating



medical conditions, their symptoms, and certain side effects of treatment of these conditions, including severe pain, nausea, muscle spasms, and seizures. Act 241, Session Laws of 2015 (Act 241), provided patient access to medical cannabis beyond the access that existed before the creation of a dispensary system authorized by Act 241. As some patients may not be able to grow their own supply of medical cannabis due to limitations such as disability or lack of space, expanding patient access to medical cannabis continues to be the Legislature's intent. Therefore, this measure will codify legislative intent while maintaining uninterrupted access to medical cannabis for qualifying patients.

Your Committees note the concerns raised in testimony regarding the cap on qualifying patients for medical cannabis cultivated on land zoned for agricultural use. As it is the Legislature's intent to expand access to medical cannabis, rather than replace existing legal access routes, further clarification is needed to provide qualifying patients with a critical treatment option.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language to clarify that cannabis cultivation shall be permitted for patient grow sites with more than five patients on land zoned for agricultural use;
- (2) Requiring the Department of Health to adopt administrative rules to conduct routine voluntary grow site inspections without law enforcement; 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 S.B. No. 3132, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3132, 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,



JARRETT KEOHOKALOLE, Chair



JOY A. SAM BUENAVENTURA, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i


Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:* SB 3132	Committee Referral: HHS/CPN, JDC/WAM	Date: 2/7/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
AQUINO, Henry J.C. (VC)	✓			
KEOHOKALOLE, Jarrett	✓			
SHIMABUKURO, Maile S.L.				✓
AWA, Brenton			✓	
TOTAL	3		1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*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.:*	Committee Referral:	Date:		
SB 3132	HHS/CPN, JDL/WAM	2/7/2024		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.				✓
RICHARDS, III, Herbert M. "Tim"				✓
AWA, Brenton			✓	
TOTAL	2		1	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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