



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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**Testimony in SUPPORT of HB2444 HD1  
RELATING TO CRIMINAL HISTORY RECORD CHECKS**

REPRESENTATIVE MARK M. NAKASHIMA, CHAIR  
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Hearing Date: 02/13/2024

Room Number: 329

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The Department of Health (department) is in strong support of this  
3 measure as it will ensure we can meet the legislative intent, authorized in Act 263, Session Laws  
4 of Hawaii 2023, giving the department authority to conduct fingerprinting and criminal history  
5 record checks on consenting hemp processor applicants that do not maintain a valid United  
6 States Department of Agriculture (USDA) license to grow hemp.

7 Currently, an applicant must submit either a valid USDA hemp license or consent to a criminal  
8 background check. Without this amendment to section 846-2.7, Hawaii Revised Statutes (HRS),  
9 the department will not have the authority to verify that the consenting applicant does not have a  
10 disqualifying conviction. This lack of authority effectively eliminates any applicant, that does  
11 not already maintain a USDA license to grow hemp, from successfully obtaining a permit to  
12 process hemp in the state.

13 The department respectfully notes that federal law requires the Federal Bureau of Investigations  
14 (FBI) Office of the General Counsel Criminal Justice Information Law Unit review and approve  
15 proposed statutory language to section 846-2.7, HRS. This is necessary before a state agency is  
16 allowed access to their federal criminal history database. The department has requested an  
17 expedited review of the new statutory language and is currently awaiting their response.

18 **Offered Amendments:** None.

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



**SHARON HURD**  
Chairperson, Board of Agriculture

**DEXTER KISHIDA**  
Deputy to the Chairperson

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**TESTIMONY OF SHARON HURD**  
**CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE**

**TUESDAY, FEBRUARY 13, 2024**  
**2:05 PM**  
**CONFERENCE ROOM 329 and VIDEOCONFERENCE**

**HOUSE BILL NO. 2444 HD1**  
**RELATING TO CRIMINAL HISTORY RECORD CHECKS**

Chair Nakashima, Vice Chair Sayama and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2444 HD1. This bill authorizes the Department of Health (DOH) to conduct criminal history record checks of applicants for permits to operate as a hemp processor. The Hawaii Department of Agriculture (HDOA) supports the intent of this bill, however, defers to DOH and offers comments.

HDOA regulates buffer zones of hemp farms and the transport of hemp materials while DOH regulates hemp products and hemp processing within the state. HDOA understands that hemp farmers applying for hemp processor's permit are exempt from additional criminal history record checks if they have a valid USDA hemp producer license.

Thank you for the opportunity to testify on this measure.

