
HOUSE CONCURRENT RESOLUTION

URGING THE DEPARTMENT OF HEALTH, DEPARTMENT OF THE ATTORNEY
GENERAL, AND DEPARTMENT OF LAW ENFORCEMENT TO COORDINATE AN
ENFORCEMENT PLAN TO ADDRESS THE LACK OF ENFORCEABLE
COMPLIANCE, RULES, AND REGULATIONS REGARDING THE SURGE OF
ILLEGAL DISPENSARY OPERATORS THAT SELL CANNABIS LABELED AS
HEMP.

1 WHEREAS, hemp and cannabis are derived from the same plant
2 species, *Cannabis sativa*, with the primary difference being
3 their chemical composition, particularly the levels of the
4 psychoactive compound tetrahydrocannabinol (THC); and
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6 WHEREAS, hemp contains 0.3 percent THC or less (7 C.F.R.
7 990.1), while cannabis, often referred to as marijuana, contains
8 over 0.3 percent THC, which can produce psychoactive effects;
9 and
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11 WHEREAS, the only way to validate total delta-9 THC
12 concentration is to test the product; and
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14 WHEREAS, hemp production is overseen by the Department of
15 Agriculture, and individuals and entities seeking to grow hemp
16 in Hawaii must obtain a hemp production license from the United
17 States Department of Agriculture; and
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19 WHEREAS, the Department of Health oversees two distinct but
20 related medical cannabis programs: the medical cannabis patient
21 registry program and medical cannabis dispensary program; and
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23 WHEREAS, there is currently no single entity responsible
24 for the regulation and enforcement of illicit cannabis; and
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26 WHEREAS, as of this writing, there are allegedly over
27 eighty-four illegal dispensary operators selling cannabis



1 labeled as hemp and the number continues to grow exponentially;
2 and

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4 WHEREAS, illegal dispensaries have opened at the airport;
5 near medical cannabis dispensaries, schools, playgrounds, and
6 public housing projects; and throughout Waikiki; and

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8 WHEREAS, illegal dispensaries offer immediate access to
9 cannabis without age gating or the need for a medical cannabis
10 card; both online and delivery services; and products
11 potentially contaminated with pesticides, solvents, synthetic
12 cannabinoids, and other harmful substances; and

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14 WHEREAS, to combat illegal cannabis falsely labeled as
15 hemp, states like Alaska, Colorado, Delaware, Idaho, Iowa,
16 Montana, New York, Nevada, North Dakota, Rhode Island, Vermont,
17 Utah, and Washington have banned delta-8 THC, while California
18 has implemented emergency regulations to ban the retail sale of
19 products containing any detectable amounts of THC; and

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21 WHEREAS, identifying enforcement gaps between the
22 Department of Agriculture, Department of Health, Attorney
23 General, Narcotics Enforcement Division of the Department of Law
24 Enforcement, and Honolulu Police Department is essential to
25 effectively combating illegal dispensaries; and

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27 WHEREAS, at least one county Prosecuting Attorney has
28 acknowledged the difficulty of enforcement by stating that there
29 is currently no regulation or enforcement of illicit cannabis;
30 now, therefore,

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32 BE IT RESOLVED by the House of Representatives of the
33 Thirty-third Legislature of the State of Hawaii, Regular Session
34 of 2025, the Senate concurring, that the Department of Health,
35 Department of the Attorney General, and Department of Law
36 Enforcement are urged to coordinate an enforcement plan to
37 address the lack of enforceable compliance, rules, and
38 regulations regarding the surge of illegal dispensary operators
39 that sell cannabis labeled as hemp; and

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41 BE IT FURTHER RESOLVED that the Department of Health is
42 urged to exercise its powers under chapter 328G, Hawaii Revised



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1 Statutes, and chapter 11-37, Hawaii Administrative Rules, to
2 stop the proliferation of cannabis labeled as hemp, while
3 acknowledging that there are no specific statutes related to
4 regulation or enforcement of illegal dispensaries at this time;
5 and
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7 BE IT FURTHER RESOLVED that the surge of illegal dispensary
8 operators selling cannabis labeled as hemp is a public health
9 and safety epidemic; and
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11 BE IT FURTHER RESOLVED that certified copies of this
12 Concurrent Resolution be transmitted to the Director of Health,
13 Attorney General, and Director of Law Enforcement.
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OFFERED BY:

A handwritten signature in black ink, appearing to read "Jeanine", is written over a horizontal line.

MAR - 7 2025

