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## HOUSE RESOLUTION

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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  
5

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  
22

23 WHEREAS, there is currently no single entity responsible  
24 for the regulation and enforcement of illicit cannabis; and  
25

26 WHEREAS, as of this writing, there are allegedly over  
27 eighty-four illegal dispensary operators selling cannabis  
28 labeled as hemp and the number continues to grow exponentially;  
29 and



1  
2 WHEREAS, illegal dispensaries have opened at the airport;  
3 near medical cannabis dispensaries, schools, playgrounds, and  
4 public housing projects; and throughout Waikiki; and  
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6 WHEREAS, illegal dispensaries offer immediate access to  
7 cannabis without age gating or the need for a medical cannabis  
8 card; both online and delivery services; and products  
9 potentially contaminated with pesticides, solvents, synthetic  
10 cannabinoids, and other harmful substances; and  
11

12 WHEREAS, to combat illegal cannabis falsely labeled as  
13 hemp, states like Alaska, Colorado, Delaware, Idaho, Iowa,  
14 Montana, New York, Nevada, North Dakota, Rhode Island, Vermont,  
15 Utah, and Washington have banned delta-8 THC, while California  
16 has implemented emergency regulations to ban the retail sale of  
17 products containing any detectable amounts of THC; and  
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19 WHEREAS, identifying enforcement gaps between the  
20 Department of Agriculture, Department of Health, Attorney  
21 General, Narcotics Enforcement Division of the Department of Law  
22 Enforcement, and Honolulu Police Department is essential to  
23 effectively combating illegal dispensaries; and  
24

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

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

39 BE IT FURTHER RESOLVED that the Department of Health is  
40 urged to exercise its powers under chapter 328G, Hawaii Revised  
41 Statutes, and chapter 11-37, Hawaii Administrative Rules, to  
42 stop the proliferation of cannabis labeled as hemp, while

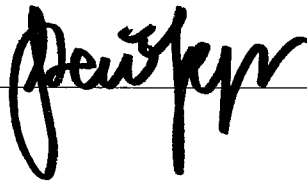


1 acknowledging that there are no specific statutes related to  
2 regulation or enforcement of illegal dispensaries at this time;  
3 and  
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5 BE IT FURTHER RESOLVED that the surge of illegal dispensary  
6 operators selling cannabis labeled as hemp is a public health  
7 and safety epidemic; and  
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9 BE IT FURTHER RESOLVED that certified copies of this  
10 Resolution be transmitted to the Director of Health, Attorney  
11 General, and Director of Law Enforcement.  
12  
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14

OFFERED BY:



MAR - 7 2025

