

JAN 17 2025

A BILL FOR AN ACT

RELATING TO HEMP.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 328G, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§328G- State-funded hemp manufacturing facility. (a)
The department shall construct, operate, and maintain a
state-funded hemp manufacturing facility.

(b) The department periodically shall report to the
legislature on the funding needs of the hemp manufacturing
facility."

SECTION 2. Section 328G-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

"Gummy" means a gelatinous cube, sphere, prismatic, or
ovoid."

SECTION 3. Section 328G-2, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:



1 "(f) Upon the department's receipt of a complete and
2 accurate application, confirmation that the applicant does not
3 have a disqualifying conviction for a state or federal felony
4 related to a controlled substance during the ten years prior to
5 the date the application is submitted, remittal of the
6 application fee, and contingent upon compliance with this
7 chapter and any rules adopted pursuant to this chapter, the
8 department may issue a permit to the applicant to operate as a
9 hemp processor. Each permittee shall update the information
10 required by subsection (c), on a form provided by the
11 department, no later than sixty days after any event that
12 necessitates a correction or update to the department's records,
13 and shall accurately account for any changes related to the
14 permit."

15 SECTION 4. Section 328G-3, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By amending its title and subsection (a) to read:

18 "§328G-3 Hemp leaf or floral material; biomass;
19 processing; manufactured hemp product sale and prohibitions;
20 labeling. (a) No person shall sell, hold for sale, offer, or
21 distribute directly to consumers any hemp biomass, regardless of



1 whether the biomass consists of hemp leaves or hemp floral
2 material, or both. No hemp biomass shall be processed into
3 crude extract or manufactured hemp products, nor shall any hemp
4 processor hold for processing or sale any hemp biomass, unless
5 lawfully obtained from a person approved or otherwise authorized
6 by applicable federal, state or local law to cultivate hemp."

7 2. By amending subsection (e) to read:

8 "(e) No person shall sell, hold, offer, or distribute for
9 sale any [food,]:

10 (1) Food, as that term is defined in section 328-1, into
11 which a cannabinoid, artificially derived cannabinoid,
12 synthetic cannabinoid, hemp, hemp biomass, or
13 manufactured hemp product that has been added as an
14 ingredient or component unless otherwise prescribed by
15 rules adopted by the department pursuant to this
16 chapter~~[. This section]~~; provided that this paragraph
17 shall not apply to hemp that is generally recognized
18 as safe (GRAS) by [FDA] the United States Food and
19 Drug Administration for use in foods, as intended, in
20 a public GRAS notification[-]; or



(2) Manufactured hemp product intended to be consumed orally to supplement the human or animal diet, unless the product is in the form of a tablet, capsule, powder, softgel, gelcap, gummy, or liquid to be ingested in daily quantities measured in drops or similar units of measure."

3. By amending subsection (j) to read:

"(j) No person shall sell, hold, offer or distribute for sale any manufactured hemp [~~products~~] product without a label, in a form prescribed by the department in rules adopted pursuant to this chapter affixed to the package and includes and clearly identifies [~~the~~]:

(1) The manufactured hemp product name;

(2) A list of all ingredients;

(3) The name and business address of the manufacturer, or, in the case of processed hemp intended for sale direct to consumers, the name and business address of the hemp processor;

(4) A statement that reads: "This product has not been evaluated by the United States Food and Drug



1 Administration and is not intended to diagnose, treat,
2 cure, or prevent any disease"; and

3 (5) The percentage of Hawaii-grown hemp in the
4 manufactured hemp [~~products~~] product in font large
5 enough for consumers to easily read on the label on
6 the physical product and not only online through a
7 quick response code; provided that any hemp product
8 not grown in Hawaii shall identify:

9 [~~(1)~~] (A) The origin and percentage of the hemp from
10 outside the State in the hemp product; or

11 [~~(2)~~] (B) If there are multiple origins of the hemp in the
12 manufactured hemp product, the percentage of hemp
13 origin as "United States" or "foreign", if
14 including hemp from a source outside the United
15 States."

16 SECTION 5. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$ or so much
18 thereof as may be necessary for fiscal year 2025-2026 and the
19 same sum or so much thereof as may be necessary for fiscal year
20 2026-2027 for the construction, operation, and maintenance of a
21 hemp manufacturing facility.



1 The sums appropriated shall be expended by the department
2 of health for the purposes of this Act.

3 SECTION 6. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 7. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 8. This Act shall take effect on July 1, 2025.

9

INTRODUCED BY: Kurt Ferrell



S.B. NO. 620

Report Title:

Hemp; Permittees; Processing; Manufacturing; Label;
Appropriations

Description:

Requires the Department of Health to construct, operate, and maintain a hemp manufacturing facility. Requires permitted hemp processors to provide certain updated information to the Department of Health no later than 60 days after a relevant event. Explicitly prohibits any person from selling to consumers any hemp biomass, regardless of whether the biomass consists of hemp leaves or hemp floral material, or both. Imposes requirements relating to the form of certain orally consumable manufactured hemp products. Imposes certain labeling requirements. Appropriates moneys.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

