
HOUSE CONCURRENT RESOLUTION

URGING THE GOVERNOR TO REHARMONIZE THE FEDERAL AND STATE
REGULATION OF CANNABIS IN HAWAII BY OBTAINING A CONTROLLED
SUBSTANCE EXCEPTION FOR REGISTERED MEDICAL CANNABIS
PATIENTS AND REGISTRATION WAIVERS FOR STATE-LICENSED
MEDICAL CANNABIS DISPENSARIES FROM THE DRUG ENFORCEMENT
ADMINISTRATION.

1 WHEREAS, Hawaii became the first state to exercise its
2 constitutional authority over the intrastate practice of
3 medicine and create a state-regulated medical cannabis program
4 via the legislative process by passing Act 228, Session Laws of
5 Hawaii 2000 (Act 228); and

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7 WHEREAS, as a result of Act 228, Hawaii's regulation of
8 cannabis has been out of step with federal regulation of
9 cannabis; and

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11 WHEREAS, this lack of uniformity between federal and state
12 cannabis laws can have severe repercussions for medical cannabis
13 patients and the State's licensed medical cannabis dispensaries,
14 including loss of employment and discrimination in child custody
15 hearings, eligibility for federally subsidized housing, and
16 applications for federal firearms permits, life insurance, and
17 disability insurance for patients who use medical cannabis in
18 compliance with state law; and

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20 WHEREAS, in 2021 the Legislature adopted House Concurrent
21 Resolution 132 (HCR132), which requested the Department of
22 Health to apply to the Drug Enforcement Administration's Office
23 of Diversion Control for an exception under title 21 Code of
24 Federal Regulations section 1307.03 and request written
25 acknowledgement that the listing of marijuana and certain
26 related substances as controlled substance in federal Schedule I
27 does not apply to activities protected by state law; and



H.C.R. NO. 170

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WHEREAS, despite this body's stated desire to reharmonize federal and state regulation of cannabis, the Department of Health has not carried out the purpose of HCR132; and

WHEREAS, on December 18, 2025, President Trump signed Executive Order 14370 directing the United States Attorney General to expedite the federal rescheduling of marijuana to a Schedule III drug; and

WHEREAS, the rescheduling of marijuana to a Schedule III drug requires prompt action to protect Hawaii's medical cannabis program and the State's authority over the intrastate use of medical cannabis; now, therefore,

BE IT RESOLVED by the House of Representatives of the Thirty-third Legislature of the State of Hawaii, Regular Session of 2026, the Senate concurring, that the Governor is urged to reharmonize the federal and state regulation of cannabis in Hawaii by obtaining a controlled substance exception for registered medical cannabis patients and registration waivers for state-licensed medical cannabis dispensaries from the Drug Enforcement Administration; and

BE IT FURTHER RESOLVED that the Governor is requested to pursue an exception from the Drug Enforcement Administration for Hawaii's medical cannabis program under title 21 Code of Federal Regulations section 1307.03; and

BE IT FURTHER RESOLVED that the Governor is requested to pursue a registration waiver for state-licensed medical cannabis dispensaries under title 21 United States Code section 822(d) for the intrastate production and distribution of medical cannabis pursuant to state law; and

BE IT FURTHER RESOLVED that the Governor is requested to submit a report of the Governor's progress to the Legislature on a quarterly basis and as updates become available; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the members of Hawaii's



H.C.R. NO. 170

1 congressional delegation, Governor, Attorney General, and
2 Director of Health.

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OFFERED BY:

Alle A. Belmont

MAR 16 2026

