



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

S.B. NO. 2421, RELATING TO CANNABIS.

BEFORE THE:

SENATE COMMITTEES ON COMMERCE AND CONSUMER PROTECTION AND ON
HEALTH AND HUMAN SERVICES

DATE: Tuesday, February 17, 2026 **TIME:** 9:45 a.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Alana L. Bryant, Deputy Attorney General

Chairs Keohokalole and San Buenaventura and Members of the Committees:

The Department of the Attorney General (Department) offers the following comments.

This bill: (1) establishes the Hawaii Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant; (2) enacts the Hawaii Cannabis Law in the Hawaii Revised Statutes (HRS) to legalize the sale and possession of non-medical adult-use cannabis; (3) decriminalizes certain marijuana-related offenses; (4) establishes taxes on cannabis sales; (5) adds new traffic offenses related to the consumption or possession of marijuana or marijuana concentrate; (6) repeals the following: chapter 328G, HRS; Act 263, Session Laws of Hawaii (SLH) 2023; in part Act 241, SLH 2025; Act 269, SLH 2025; section 321-30.1, HRS; chapter 329, part IX, HRS; and chapter 329D, HRS; (7) establishes the Cannabis Regulation and Enforcement Special Fund; (8) transfers funds out of the Industrial Hemp Special Fund, Medical Cannabis Registry and Regulation Special Fund, and Hawaii Hemp Processing Special Fund and into the Cannabis Regulation and Enforcement Special Fund; (9) establishes positions within the Hawaii Cannabis and Hemp Office, the Department of Taxation (DoTAX), and the Department; (10) appropriates funds out of the Cannabis Regulation and Enforcement Special Fund for the hiring of personnel, the Social Equity Grant Program, the Public Health and

Education Grant Program, the Public Safety Grant Program, the Hawaii Hemp Grant Program, and to establish a state cannabis testing facility within the Hawaii Cannabis and Hemp Office; and (11) appropriates general funds to the DoTAX, and the Department.

Section 2 of this bill enacts the Hawaii Cannabis Law as a new HRS chapter temporarily designated as chapter "A". Sections A-51 through A-55 of this new chapter, on page 87, line 11, through page 95, line 6, and sections 31, 32, and 33 of this bill, on page 272, line 15, through page 277, line 11, will take effect pursuant to section 71 of this bill, on page 316, line 7, through page 317, line 7, upon the occurrence of one of the following triggers: the federal de-scheduling of marijuana; U.S. Supreme Court action recognizing states' authority to regulate marijuana without federal preemption; or by a state constitutional amendment legalizing marijuana. The Department recommends that, rather than adult-use cannabis legalization being implemented *as soon as* one of the triggers occur, there be at least an 18-month delay. This is consistent with the Department's position in its *2024 Report Regarding the Final Draft Bill Entitled "Relating to Cannabis,"* as an 18-month delay would ensure a more orderly transition and allow for public education prior to adult-use implementation.

We note that the proposed amendments to section 322-1, HRS, (a DOH nuisance abatement statute) on page 257, lines 19-21, would categorically exempt cannabis products, hemp products, and any odors related thereto, from the definition of "nuisance" in that section. As a matter of public policy, this may be too broad, and we recommend that the wording be narrowed. The Department is concerned that exempting cannabis and hemp from the definition of nuisance may limit a potential tool for the State to investigate and enforce cannabis-related nuisances.

This bill proposes repealing Act 269, SLH 2025 (page 296, line 18, through page 297, line 3). Act 269 created a framework for enforcement against unlawful hemp distribution and retailing, in part by amending section 712-1270, HRS, to explicitly include unlawful hemp distribution and retailing as a nuisance. If the Legislature's intent is to repeal Act 269 but keep hemp enforcement and nuisance abatement in place, we suggest that this bill preserve Act 269's amendments to section 712-1270, HRS.

We recommend that the following presumption be added to section A-20(b) of the new chapter in section 2, on page 57, line 19, of the bill:

Packaged products with a statement on the packaging that it contains marijuana, marijuana concentrate, or contents that would be defined as marijuana or marijuana concentrate, shall be presumed to contain the marijuana, marijuana concentrate, or contents that would be defined as marijuana or marijuana concentrate, and shall be subject to confiscation and seizure.

This presumption would reduce the need for lab testing and strengthen the State's ability to regulate against illegal cannabis sales.

The Department also recommends amending section A-62(a) on page 95, lines 17-19, as follows, to ensure that all states of mind are included in the offense:

(a) ~~[It shall be unlawful to sell]~~ The intentional, knowing, reckless, or negligent selling of cannabis to a person under the age of twenty-one is prohibited, unless [that person] the person purchasing the cannabis is a medical cannabis patient.

In section A-62(d) on page 96, lines 7-15, we recommend adding the following underscored wording:

(d) It shall be an affirmative defense to subsection (a) that the licensed cannabis seller requested, examined, and reasonably relied upon a government-issued photographic identification establishing the cannabis purchaser's age as at least twenty-one years of age before selling cannabis to the person~~[-]; or that~~ the licensed cannabis seller requested, examined, and reasonably relied upon a government-issued medical cannabis registration card if the cannabis purchaser is under twenty-one years of age before selling cannabis to the person. The failure of a seller to request and examine a government-issued photographic identification pursuant to subsection (b) shall be construed against the seller and form a conclusive basis for the seller's violation of subsection (a).

We note that the offense of unauthorized access to a restricted area being a petty-misdemeanor, section A-95(c), on page 143, lines 7-8, may be too low of an offense. Currently, the offenses of unauthorized access to retail dispensing location

pursuant to section 329D-15, HRS, and unauthorized access to production centers pursuant to section 329D-16, HRS, are Class C felonies. The Department recommends that the offense of unauthorized access to a restricted area also be categorized as a Class C felony, as trespass into a drug dispensing business with high cash volume could have serious ramifications.

We finally note that this bill contains blanked-out appropriations. If the Legislature decides to legalize adult-use cannabis, it is essential that funds be appropriated for the timely implementation of a substantial regulatory program and for law enforcement, nuisance abatement, and a public education campaign prior to legalization, among other things.

We respectfully ask the Committees to address our recommended amendments. Thank you for the opportunity to provide comments.

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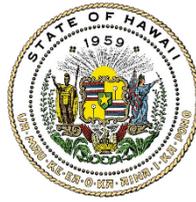
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February 16, 2026

SB 2421: RELATING TO CANNABIS

Chair San Buenaventura, Chair Keohokalole, Vice-Chair McKelvey, Vice-Chair Fukunaga, Members of the Committee on Health and Human Services and Members of the Committee on Commerce and Consumer Protection:

The Office of the Public Defender (OPD) **supports SB 2421** with comments and recommended safeguards. This measure establishes a comprehensive regulatory framework for cannabis and hemp by creating the Hawai'i Cannabis and Hemp Office and enacting the Hawai'i Cannabis Law. The bill also provides for taxation, regulation, and the legalization of personal adult use of cannabis contingent upon specified federal or constitutional triggers.

The OPD represents indigent individuals across Hawai'i. We routinely observe how low-level marijuana enforcement leads to arrests, criminal records, and collateral consequences affecting employment, housing, education, and immigration status, often without measurable public safety benefit.

SB 2421 shifts Hawai'i from a primarily prohibition-based model toward a regulated public health framework and provides a legal safe harbor for conduct that strictly complies with the new chapter.

By establishing a regulated framework for adult use (contingent upon federal or constitutional triggers) and harmonizing criminal statutes accordingly, the bill appropriately narrows the role of the criminal legal system in addressing cannabis-related conduct.

The bill provides that strict compliance with the Hawai'i Cannabis Law may be asserted as an affirmative defense in prosecutions involving marijuana or

marijuana concentrate. The OPD supports providing clear statutory guidance regarding lawful conduct. However, we respectfully suggest that the Legislature consider clarifying that conduct authorized under Chapter A functions as a clear exemption or bar to prosecution, rather than placing the burden on individuals to raise and litigate an affirmative defense after arrest or charging. Where conduct is lawful, individuals should not unnecessarily enter the criminal process before compliance is recognized.

OPD supports the bill's directive that protection of public health and safety remain the highest priority. The measure preserves prohibitions relating to youth access, restricted locations, and impaired driving, and authorizes regulation of packaging, marketing, potency, and advertising to prevent targeting minors. A regulated framework strengthens protection for minors and ensures consumer safety.

While OPD supports the measure, we respectfully recommend the following safeguards to ensure legalization does not unintentionally expand criminalization:

Caution Regarding “New Traffic Offenses”

The bill adds new traffic offenses relating to the consumption or possession of marijuana or marijuana concentrate.

The OPD urges that these provisions:

- Be narrowly tailored to address actual impaired driving,
- Avoid creating open-ended enforcement standards based solely on odor or possession, and
- Limit custodial arrests for nonviolent regulatory violations.

Legalization should not result in increased pretextual stops or broadened search practices.

Ensure Decriminalization Reduces Real-World Enforcement Harms

The bill's adult-use provisions are contingent upon federal changes or constitutional amendment. To the extent possible, the OPD encourages the Legislature to minimize interim harms by ensuring that low-level marijuana-related conduct is not unnecessarily processed through the criminal system while awaiting triggering conditions.

Meaningful Social Equity Implementation

The bill recognizes social equity concerns and creates a framework to encourage participation from disproportionately impacted areas.

The OPD respectfully recommends that implementation include:

- Transparent eligibility criteria,
- Accessible application processes,
- Technical assistance and reduced barriers for small applicants, and
- Periodic public reporting to measure whether equity goals are being achieved.

Communities historically impacted by marijuana enforcement should meaningfully benefit from the new regulatory structure.

For these reasons, the Office of the Public Defender **supports** SB 2421.

Thank you for the opportunity to comment on this measure.



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**Testimony of the Department of Commerce and Consumer Affairs
Before the
Senate Committee on Commerce and Consumer Protection
and
Senate Committee on Health and Human Services**

**Tuesday, February 17, 2026
9:45 a.m.
Conference Room 229 & Via Videoconference**

**On the following measure:
S.B. 2421, RELATING TO CANNABIS.**

Chair Keohokalole, Chair San Buenaventura, and Members of the Committees:

My name is Nadine Ando, and I am the Director of the Department of Commerce and Consumer Affairs (Department or DCCA). The Department offers comments on this bill.

The purposes of this bill are to: (1) establish the Hawai'i Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant; (2) contingent upon specific changes at the federal level or a state constitutional amendment, legalizes the personal adult use of cannabis and decriminalizes certain marijuana-related offenses; (3) beginning January 1, 2027, establishes taxes on cannabis sales; (4) adds new traffic offenses relating to the consumption or possession of marijuana or marijuana concentrate; (5) transfers the personnel and assets of the Department of Health and assets of the Department of

Agriculture relating to cannabis and hemp to the Hawai'i Cannabis and Hemp Office; (6) establishes various positions within state entities; and (7) appropriates funds.

The Department acknowledges the complex nature of the cannabis issue, involving considerations related to public health, safety, and economic opportunities. The commitment to public health protections, including an extensive public health and education campaign, reflects a responsible approach to mitigate potential risks associated with cannabis use. The Department also supports the intent to establish a zero-tolerance policy toward distributing cannabis to individuals under the age of twenty-one and driving under the influence of cannabis.

The Department would like to underscore the significance of the clear separation of operations between the DCCA and the Hawai'i Cannabis and Hemp Office, as delineated in the proposed legislation. Part II. Administration, §A-11 (a) emphasizes that the Hawai'i Cannabis and Hemp office is to be a public body corporate and politic within the Department for administrative purposes only. The legislation explicitly states that the DCCA shall not direct or exert authority over the day-to-day operations or functions of the authority. This clear separation ensures that the Hawai'i Cannabis and Hemp office operates independently, fostering effective governance and decision-making in the field of cannabis regulation.

The Department would also like to address challenges faced by financial institutions nationwide, particularly in Hawai'i. It is important to note that financial institutions across the nation are not for or against cannabis sales (medical or adult use). Financial institutions have hesitated to open accounts (deposits as well as loans) as cannabis remains a Schedule I controlled substance federally. Additionally, the Anti-Money Laundering Act and the Bank Secrecy Act imposes severe penalties on individual employees for aiding and abetting money laundering activities. Importantly, the proposed bill cannot address federal penalties for money laundering, a point discussed in detail with relevant authorities. Financial institutions nationwide do not take a stance on marijuana sales but emphasize the limited availability of banking services, with approximately 100 banks and credit unions providing such services across the country.

Thank you for the opportunity to offer comments on this bill.



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Testimony COMMENTING on SB2421
RELATING TO CANNABIS

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATOR JARRETT KEOHOKALOLE, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Hearing Date and Time: 02-17-26, 9:45AM

Room Number: 229

- 1 **Fiscal Implications:** Significant. This measure will impact the priorities identified in the
- 2 Governor's Executive Budget Request for the Department of Health's (Department)
- 3 appropriations and personnel priorities.
- 4 **Department Position:** The Department offers comments on this measure which proposes to
- 5 legalize the sale and possession of cannabis for personal adult use and establish the Hawaii
- 6 cannabis and hemp office as an independent body with the power to regulate all aspects
- 7 medical cannabis, adult-use cannabis, and hemp.
- 8 **Department Testimony:** The Office of Medical Cannabis Control and Regulation (OMCCR)
- 9 provides the following testimony on behalf of the Department.
- 10 The Department appreciates that this measure acknowledges and prioritizes the
- 11 implementation of public health protections in connection with adult-use cannabis policy. The
- 12 Department also recognizes that harm reduction is an essential component of contemporary
- 13 drug policy, that decriminalization of cannabis possession carries meaningful public health

1 benefits by reducing the collateral consequences of enforcement, and that regulated access to
2 cannabis is preferable to an unregulated illicit market.

3 Nonetheless, despite the strong regulatory requirements proposed, legalizing adult use of
4 cannabis should be expected to result in a net negative impact on the health of the public. As
5 such, the Department remains highly concerned about the public health and environmental
6 impacts that the increased accessibility of cannabis and opening of an adult-use marketplace
7 will bring.

8 The Act 169 Dual Use of Cannabis Task Force, Public Health and Safety Working Group report,
9 prepared under Act 169, SLH 2021, provides a comprehensive, evidence-based examination of
10 the health, safety, and environmental impacts associated with cannabis use and expanded
11 access. Consistent with that report, the Department notes the following major areas of
12 concern:

- 13 • Psychotic disorders: Substantial evidence links cannabis use with increased risk of
14 psychosis and progression to schizophrenia, particularly with exposure at a young age.¹⁻⁴
- 15 • Youth brain development: THC exposure during adolescence disrupts normal brain
16 development, and the negative effects can persist into adulthood.^{5,6} High-potency THC
17 exposure (over 10%) among youth is associated with depression, anxiety, and
18 hallucinations.⁷ The risk of harm is heightened in the context of expanded access, given
19 that more than one-third of Hawai'i adults do not believe or are unsure that teenagers
20 face greater harms from cannabis use than adults.⁸ At the same time, 14% of high school
21 students report using cannabis in the past month.⁹
- 22 • Pregnancy and early childhood: Biological evidence shows that THC crosses the placenta
23 and enters breastmilk, with studies linking prenatal exposure to preterm birth, low
24 birthweight, and adverse effects on cognitive and behavioral development.¹⁰⁻¹²

- 1 • Unintentional pediatric exposures: Jurisdictions with legal adult-use markets have
2 experienced increases in unintentional pediatric ingestion and related emergency
3 department visits.¹³ This risk is heightened by edible product forms that can attract
4 young children.
- 5 • Cannabis use disorder and cannabis poisoning: Over the past decade, during which
6 many states have legalized cannabis for medical and adult-use purposes, the prevalence
7 of cannabis use disorder has increased 1.6-fold, and cases of cannabis poisoning have
8 risen 4.9-fold.¹⁴

9 Taken together, the evidence indicates that broader adult-use access is likely to increase overall
10 use and associated health harms, creating perpetual public health demands. The Department
11 urges careful consideration of the long-term public health implications of this measure and the
12 necessity of enforceable, sustained investments in public health infrastructure to address
13 foreseeable harms.

14 **Offered Amendments:** None

15 Thank you for the opportunity to testify on this measure.



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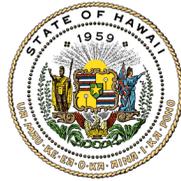
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**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE AND BIOSECURITY**

**BEFORE THE SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES AND
COMMITTEE ON COMMERCE AND CONSUMER PROTECTION**

**TUESDAY, FEBRUARY 17, 2026
9:45 AM
CONFERENCE ROOM 229 & VIDEOCONFERENCE**

**SENATE BILL NO. 2421
RELATING TO CANNABIS**

Chairs San Buenaventura and Keohokalole, Vice Chairs McKelvey and Fukunaga, and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill No. 2421. This bill establishes the Hawaii Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant. Contingent upon specific changes at the federal level or a state constitutional amendment, legalizes the personal adult use of cannabis and decriminalizes certain marijuana-related offenses. Beginning 1/1/2027, establishes taxes on cannabis sales. Adds new traffic offenses relating to the consumption or possession of marijuana or marijuana concentrate. Transfers the personnel and assets of the Department of Health and assets of the Department of Agriculture relating to cannabis and hemp to the Hawaii Cannabis and Hemp Office. Establishes various positions within state entities. Appropriates funds.

The Department of Agriculture & Biosecurity (Department) offers the following comments:

With the Hawai'i Cannabis Law including the creation of the Hawai'i Cannabis and Hemp Office, which has "the power to administratively regulate all aspects of the cannabis plant in accordance with this chapter", the Department believes that additional changes to HRS 150A-5 and HRS 150A-8, relating to the potential importation of cannabis and hemp plants, propagative plant parts such as seeds, and unprocessed dried flower material into the State, including interisland movement of these materials, may be necessary to effectuate the Hawai'i Cannabis and Hemp Office's administrative mission. The Department will work with the Hawai'i Cannabis and Hemp Office to create

biosecurity requirements related to the movement of cannabis and hemp plant materials to prevent the spread of pests.

The Department agrees with the “one-plant” approach provided for in the bill that includes the provisions based on Act 263, Session Laws of Hawai‘i 2023 and the Agriculture Improvement Act of 2018, within the new Hawai‘i Cannabis and Hemp Office, as those were included in response to concerns raised by the Hawai‘i Hemp Farmers Association. These provisions are intended to provide legal support to the hemp farmers and the hemp industry in Hawai‘i, particularly those in Section Part VIII. HEMP.

The Department also notes the inclusion of provisions requiring hemp growers in Hawai‘i to comply with the USDA regulations regarding hemp production licensing and requiring compliance with the hemp cultivation buffer zones. This action ensures that no redundant regulations are imposed on the hemp farmers and clarifies that the USDA regulates hemp cultivation in Hawai‘i. In addition, the Department agrees with the language in SB 2421, which makes clear that industrial hemp will not be regulated like cannabinoid hemp.

Thank you for the opportunity to testify on this measure.

JOSH GREEN M.D.
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**TESTIMONY OF
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TESTIMONY ON THE FOLLOWING MEASURE:

S.B. No. 2421, Relating to Cannabis.

BEFORE THE:

Senate Committees on Commerce and Consumer Protection, and Health and Human Services

DATE: Tuesday, February 17, 2026

TIME: 9:45 a.m.

LOCATION: State Capitol, Room 229

Chairs Keohokalole and San Buenaventura, Vice-Chairs Fukunaga and McKelvey, and Members of the Committees:

The Department of Taxation (DOTAX) offers the following comments regarding S.B. 2421 for your consideration.

S.B. 2421 establishes the Hawaii Cannabis and Hemp Office; establishes laws for the cultivation, manufacture, sale, and personal adult-use of cannabis; amends or repeals existing laws relating to cannabis, including hemp; establishes taxes for adult-use cannabis sales; legalizes the possession of certain amounts of cannabis for individuals 21 years of age and over beginning January 1, 2027; and transfers the personnel and assets of the Office of Medical Cannabis Control and Regulation from the Department of Health to the Hawaii Cannabis and Hemp Office.

Part III of the bill, beginning on page 197, creates a new chapter B in title 14, Hawaii Revised Statutes (HRS), entitled "Hawaii Cannabis Tax Law." Under section B-2, persons engaged in the retail sale of cannabis, including retail sales of medical cannabis, must obtain a cannabis tax permit from DOTAX. Under section B-3, retail

sales of cannabis will be subject to a 14 per cent tax on gross proceeds, and retail sales of medical cannabis subject to a 4 percent tax on gross sales. Section B-10 provides that unless expressly prohibited, this tax will be in addition to any other tax imposed upon the business of selling cannabis or any transaction, act, or activities taxed by law.

Under Section B-7 all revenues collected under the Hawaii Cannabis Tax Law are to be deposited into the state treasury, then distributed quarterly, in the following order of priority:

- An amount necessary to “defray the cost of the operations and administrative expenses of the Hawaii Cannabis and Hemp Office” is to be deposited in the Cannabis Regulation and Enforcement Special Fund;
- After making the distribution above:
 - 30 per cent deposited into the Social Equity Grant Program subaccount;
 - 10 per cent deposited into the Public Health and Education Grant Program subaccount;
 - 10 per cent deposited into the Public Safety Grant Program subaccount;
 - 5 per cent deposited into the Hawaii Hemp Grant Program;
 - 5 per cent deposited to the counties, allocated based on the percentage of revenue collected from each county;
 - 5 per cent to the Department of the Attorney General for the Drug Nuisance Abatement Unit; and
 - 5 per cent deposited to the Department of the Attorney General for the Special Investigation and Prosecution Division.

Section B-14, on page 212, requires the Director of Taxation to adopt rules and authorizes the Director to employ tax law change specialists, whom shall be subject to civil service employment, to assist with implementation of the new chapter.

Under section 17 of the bill, on page 245, DOTAX is authorized to require electronic filing of returns, applications, reports, or other documents required to be submitted by taxpayers under the Hawaii Cannabis Tax Law.

Section 18 of the bill, on page 247, amends section 235-2.4(v), HRS, which disallows business deductions and credits if the business traffics controlled substances prohibited by federal or state law, except for the production and sale of medical cannabis, by expanding the exception to permitted businesses that cultivate, process,

and sell cannabis pursuant to chapter A.

Section 19 of the bill, beginning on page 247, amends section 237-24.3, HRS, by adding a new paragraph (13) to exempt amounts received from the sales of cannabis and medical cannabis from the Hawaii general excise tax (GET).

Section 20 of the bill, on page 256, amends section 245-1, HRS, by excluding cannabis and cannabis accessories authorized under chapter A from the definition of “e-liquid.”

Section 62 of the bill, on page 313, establishes unspecified numbers of the following positions within DOTAX to aid the administration of the Hawaii Cannabis Tax Law:

1. Auditors;
2. Cashier(s);
3. Special Enforcement Section Investigators;
4. Tax information technicians; and
5. Tax law change specialists.

The Director of Taxation may hire and appoint the tax law change specialists subject to Chapter 76, HRS (Civil Service Law).

Section 63 of the bill, on page 314, appropriates from the general revenues of the State an unspecified sum to DOTAX for fiscal year 2026 to 2027 to implement the tax provisions of the measure, including the hiring and filling of the above-listed FTE positions, and costs for project management services, building and security improvements, and associated administrative costs.

The measure is effective July 1, 2026, provided that:

- Section 2 of S.B. 2421, Part IV, regarding proposed sections A-51 through A-55, HRS; and bill sections 31, 32, and 33, Part V, regarding Chapter 712, HRS, will be effective the earlier of:
 - The de-scheduling of marijuana under the federal Controlled Substances Act; the removal of all federal criminal penalties for the acquisition, cultivation, dispensing, distribution, possession, transportation, and use of marijuana by individuals and entities; or the enactment of federal legislation that legalizes the acquisition, cultivation, dispensing, distribution, possession, transportation, and use of marijuana for adult use; or

- The enactment of federal legislation or the issuance of a final federal judicial decision that delegates, affirms, or recognizes the authority of states to regulate marijuana without being preempted by federal law; or
 - The ratification of an amendment to the Hawaii State Constitution legalizing cannabis.
- Part III (regarding the Hawaii Cannabis Tax Law) is effective on January 1, 2027.

First, DOTAX notes that in 2025, the Legislature authorized DOTAX to establish an exempt tax business analyst position to assist with the implementation of tax law changes and other similar projects. The duties of the tax business analyst will be very similar to the tax law change specialist position proposed in this bill. Accordingly, in lieu of creating a new civil service position for a tax law change specialist, and establishing two new tax law change specialist positions (as requested by DOTAX during last session), DOTAX recommends that one additional full-time equivalent (FTE) tax business analyst position be created to assist with implementation of the Hawaii Cannabis Tax Law. Specific amendments to the bill would include:

1. Deleting the provision on page 212, lines 8 to 10, authorizing the Director to employ tax law change specialists.
2. Replacing “tax law change specialist” on page 313, lines 16 to 17, with “tax business analyst.”
3. Delete the provision on page 313, lines 18 to 20, authorizing the Director to appoint tax law change specialists.

Second, DOTAX notes that, should this measure be passed, DOTAX will require two auditors, one cashier, two special enforcement section investigators, two tax information technicians, and one tax business analyst to implement and administer the tax law provisions.

Third, DOTAX requests that the amount to be allocated to the Cannabis Regulation and Enforcement Special Fund, on pages 205 to 206 of the bill, be established, as the existing allocation only distributes an unspecified “amount necessary to defray the cost of the operations and administrative expenses” of the Hawaii Cannabis and Hemp office. Otherwise, it is unclear who, when, and how the amount to be allocated to the Cannabis Regulation and Enforcement Special Fund will be determined.

Fourth, DOTAX recommends that section B-7(E) beginning on page 206, lines 19 and 20, and continuing onto page 207, lines 1 and 2, be amended to state how

revenues to the counties will be allocated. Similar to the allocation of revenue from the GET collected on sales of tangible personal property (see section 235-36, HRS), revenue distribution from the cannabis tax collected should be allocated based on the place of delivery. This will ensure fair revenue sharing based on where the cannabis is sold and taxed.

Finally, DOTAX requests, if the measure is passed with the specified number of positions necessary to administer and enforce this measure, that the authorization for cannabis sales and enactment of the tax law provisions in part III of the bill take effect no earlier than January 1, 2028. This will afford DOTAX sufficient time to make the necessary system and form changes and provide taxpayer education on the Hawaii Cannabis Tax Law.

Thank you for the opportunity to provide comments.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
Director

ERNEST J. ROBELLO
Deputy Director
Administration

JARED K. REDULLA
Deputy Director
Law Enforcement

SYLVIA LUKE
LT GOVERNOR
KA HOPE KIA'ĀINA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'okō Kānāwai
715 South King Street
Honolulu, Hawaii 96813

TESTIMONY ON SENATE BILL 2421
RELATING TO CANNABIS
Before the Senate Committee on
HEALTH AND HUMAN SERVICES,
COMMERCE AND CONSUMER PROTECTION
Tuesday, February 17, 2026, 9:45 AM
State Capitol Conference Room 229
Testifiers: Jared Redulla

Chairs San Buenaventura and Keohokalole, Vice Chairs McKelvey and Fukunaga, and members of the Committees:

The Department of Law Enforcement (DLE) offers comments on Senate Bill 2421, which establishes the Hawaii Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant, and, contingent upon federal changes or a state constitutional amendment, legalizes personal adult use of cannabis.

The DLE acknowledges that public attitudes toward cannabis have evolved. However, as the state agency responsible for safeguarding public safety through transparent and responsive law enforcement, we have concerns about the legalization framework proposed in SB 2421 based on evidence from other states with similar programs.

First, roadway safety is a significant concern. States that have legalized cannabis have experienced substantial increases in traffic fatalities involving cannabis. For example, in

Colorado, the Rocky Mountain High Intensity Drug Trafficking Area (HIDTA) reported that fatal car crashes involving cannabis nearly doubled between 2013 and 2020, and one in four roadway deaths in Colorado was reported by the Colorado Division of Criminal Justice in 2020 as involving cannabis. Given that traffic-related deaths are already the second leading cause of injury-related death among 15–24-year-olds in Hawaii, the potential increase in impaired driving presents a serious public safety risk.

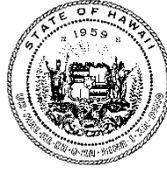
Second, contrary to expectations, legalization has failed to curtail the illicit market in other states. The Oregon-Idaho HIDTA reported illicit cannabis plant seizures 17 times greater in 2021 compared to 2020. Similarly, in California, despite becoming the world's largest legal cannabis marketplace, the black market continues to thrive, with a 2019 study showing that 85-90 percent of California-produced cannabis was exported. Hawaii already faces challenges with black market contraband, including illicit drugs, firearms, stolen property, and fireworks. The legalization of cannabis would likely add strain to our limited law enforcement resources.

Third, and most concerning, is the potential rise in violent crime. Recent cases in states with legalized cannabis programs demonstrate that cannabis-related violence continues despite legalization. In California, authorities have linked murders to disputes over marijuana, with potential connections to organized crime. Hawaii is not immune to this risk, as we have previously experienced cannabis-related homicides. The legalization framework proposed in SB 2421 could potentially increase the risk of such violence in our communities.

Research from multiple law enforcement organizations, including the National Fraternal Order of Police and the National Association of Assistant United States Attorneys, has documented negative outcomes in states with legalized cannabis, including increases in violence directed toward dispensary owners and employees, burglaries of dispensaries, driving under the influence incidents, and sales to minors, with no significant reduction in crime or substantial increase in tax revenues as often promised.

Should the Legislature decide to move forward with this bill despite these concerns, it is imperative that the DLE be provided with sufficient resources for enforcement. Based on experiences from other jurisdictions, additional staff and funding would be absolutely necessary to address the predictable increase in illegal activity.

Thank you for the opportunity to provide comments on this bill.



STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
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TESTIMONY
OF
BONNIE KAHAKUI, ADMINISTRATOR
STATE PROCUREMENT OFFICE
TO THE SENATE COMMITTEES
ON
HEALTH AND HUMAN SERVICES
AND
COMMERCE AND CONSUMER PROTECTION
FEBRUARY 17, 2026, 9:45 A.M.

SENATE BILL 2421
RELATING TO CANNABIS

Chair San Buenaventura, Chair Keohokalole, Vice Chair McKelvey, Vice Chair Fukunaga, and members of the committees, thank you for the opportunity to submit testimony on Senate Bill 2421. The State Procurement Office (SPO) respectfully provides comments and recommendations.

Expenditures and contracts that support the Hawaii Cannabis and Hemp Office should comply with HRS Chapter 103D to ensure fair and open competition and to prevent favoritism, collusion, or fraud in awarding of contracts. This also ensures oversight, accountability, and transparency in the procurement and contracting process which is vital to good government. Banking services are already exempt from 103D-102, HRS, therefore an exemption is not necessary.

The SPO recommends the following revisions:

- **Section 2, Page 130, lines 19-21, and Page 131, lines 1-4:**

"(c) The procurement of the seed-to-sale tracking system established pursuant to this section shall be [~~exempt from~~] **subject to** chapter 103D [~~provided that:~~], Hawaii Revised Statutes.

~~[(1) The office shall publicly solicit at least three proposals for the seed to sale tracking system; and~~

~~-(2) The selection of the seed-to-sale tracking system shall be approved by the administrator.] "~~

- **Section 52, page 306, lines 17 to 21, page 307, lines 1-20, and page 308, lines 1-2:**

"SECTION 52. Notwithstanding any other provision of law to the contrary, from the effective date of this Act to December 31, 2028, the Hawaii cannabis and hemp office shall ~~[be exempt from]~~ **subject to** procurement requirements under chapter 103D, Hawaii Revised Statutes for:

~~[-(1) Banking services for the Hawaii cannabis and hemp office or department of taxation, or both, to collect fees and tax revenue;~~

~~[-(2) Banking services to help support cannabis businesses to transition from an all-cash system.]~~

~~[-(3)] (1)~~ A consultant to support the Hawaii cannabis and hemp office in the process for cannabis licensure, including services related to investigations and the financial or criminal history review of applicants or licensed businesses;

~~[-(4)] (2)~~ A consultant to support the Hawaii cannabis and hemp office to draft rules to implement chapter A, Hawaii Revised Statutes;

~~[-(5)] (3)~~ A consultant to provide technical assistance regarding the social equity grant program;

~~[-(6)] (4)~~ Communication services for public and consumer education campaigns on cannabis laws and rules and potential health and safety risks associated with cannabis use;

~~[-(7)] (5)~~ Establishing a state cannabis testing facility; and

~~[-(8)] (6)~~ A consultant to support the Hawaii cannabis and hemp office in administering grant programs;

Provided that the following services shall be exempt from chapter 103D, Hawaii Revised Statutes:

- (1) Banking services for the Hawaii cannabis and hemp office or department of taxation, or both, to collect fees and tax revenue; and
- (2) Banking services to help support cannabis businesses to transition from an all-cash system."

Thank you for the opportunity to submit testimony on this measure.



**DEPARTMENT OF THE PROSECUTING ATTORNEY
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**THE HONORABLE JOY SAN BUENAVENTURA , CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES**

**THE HONORABLE JARRETT KEOHOKALOLE, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION**

**Thirty-Third State Legislature
Regular Session of 2026
State of Hawai`i**

February 17, 2026

REGARDING S.B. 2421 — RELATING TO CANNABIS.

Chair San Buenaventura and Chair Keohokalole, Vice Chair McKelvey and Vice Chair Fukunaga, and members of the Senate Committees on Health and Human Services and Commerce and Consumer Affairs, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in **strong opposition** of S.B. 2421.

My name is Steve Alm and I am the Prosecuting Attorney for the City and County of Honolulu. My number one job is to protect the people of our county. This bill would create the framework for commercial adult-use cannabis legalization in Hawai‘i, contingent upon federal action or a constitutional amendment. While the structure is conditional, the policy direction is clear: Hawai‘i would move toward establishing a commercial marijuana industry. From a public safety and prosecutorial standpoint, we believe this would be a **serious mistake** and cause harm to the people of our county and our state.

Marijuana Today Is Not the Marijuana of the Past

Modern marijuana is dramatically more potent than it was decades ago. THC levels that once averaged 3–4% now commonly range between 20–40%, with concentrates exceeding 90% THC. The human brain continues developing into the mid-to-late 20s. High-potency marijuana poses significantly greater risks to adolescents and young adults than earlier generations experienced. Legalization normalizes use. Normalization increases use. Increased use increases harm.

Legalized States Have Seen Increases in Youth Use

Data from states that have legalized commercial marijuana show:

- 13% increase in marijuana use among teens (12–17 years old)
- 22% increase among young adults (18–25 years old)

No regulatory framework can fully insulate minors from market normalization and product proliferation. Legalization sends a message to children: if it's legal, it must be safe. That message is simply not true.

Traffic Safety and Impaired Driving Concerns

Marijuana alters perception and delays reaction time. An Ohio county study found that over 40% of drivers killed in collisions had elevated marijuana levels in their blood. While this bill tries to criminalize use of cannabis while driving or being a passenger in a vehicle, law enforcement currently lacks reliable testing tools for marijuana impairment. When there is bad driving, an arrest for DUI, and then a reading of 0.00 on HPD breathalyzer, the impaired driver will be released without charges. Creating a commercial industry will inevitably increase impaired driving incidents while enforcement tools remain limited.

Public Health Harms

The documented consequences associated with commercial legalization include:

- Increased calls to poison control centers for children ingesting edibles
- Increased psychiatric conditions, including psychosis, schizophrenia, depression, paranoia, and suicidal ideation
- Cannabis Hyperemesis Syndrome (“scromiting”), with Colorado documenting over 800,000 marijuana-related vomiting cases between 2012–2018 — a 29% increase following legalization
- Increased cardiovascular risk — including a 25% increase in heart attacks and 42% increase in strokes among daily users
- Documented harms to pregnant women and fetal development, including premature births and increased infant mortality risk

These are not hypothetical concerns. These are documented public health outcomes in jurisdictions that have already moved down this path. ¹

Addiction-for-Profit Model

One out of three marijuana users develops marijuana use disorder. Under the Pareto principle, daily users — including those with addiction — account for the majority of consumption. That means most tax revenue comes from heavy, dependent users. Commercial

¹ See <https://learnaboutsam.org/wp-content/uploads/2026/01/SAM-impact-report-2026-2027.pdf>

legalization creates a government-sanctioned business model that depends on high-frequency use by addicted consumers. That is not a public health model. That is an addiction-for-profit model.

Organized Crime Risk

States across the country have seen Mexican and Chinese organized crime cartels infiltrate marijuana markets. Hawai‘i’s geographic isolation will not insulate us from transnational organized crime. Legal markets coexist with illicit markets. They do not eliminate them. As law enforcement officers, we are deeply concerned that expanding a high-cash, high-demand industry invites criminal exploitation.

Economic and Tourism Impact

Hawai‘i’s economy depends heavily on tourism. According to a recent study highlighted in a Star Advertiser article, 35.37% of surveyed residents in Japan indicated that legalizing recreational marijuana in Hawai‘i would make them less likely or much less likely to visit. Losing even a fraction of Japanese tourism would have severe economic consequences. This bill risks trading long-term tourism stability for uncertain cannabis tax revenues.

National Trend Is Stalling — Not Expanding

Since 2023, no additional states have legalized commercial marijuana. Thailand has reversed course and returned to a prescription-only model. Other jurisdictions are reassessing the unintended consequences of commercialization. Hawai‘i should learn from those experiences — not repeat them.

Conclusion

S.B. 2421 asks Hawai‘i to move toward establishing a commercial marijuana industry. The evidence from other states shows:

- Increased youth use
- Increased impaired driving risks
- Increased psychiatric and physical health harms
- Organized crime infiltration
- Dependence on addicted users for tax revenue

As more research will continue to show the dangers of cannabis, Hawai‘i will never want to go down this treacherous road that will only cause harm to our citizens. The question before us is not whether marijuana exists. It does. The question is whether the State of Hawai‘i should actively promote, regulate, tax, and profit from the commercialization of a high-potency intoxicant.

We respectfully submit that it should not.

For these reasons, the Department of the Prosecuting Attorney urges these Committees to **reject** S.B. 2421. Thank you for the opportunity to testify.

RICHARD T. BISSEN, JR.
Mayor

ANDREW H. MARTIN
Prosecuting Attorney

SHELLY C. MIYASHIRO
First Deputy Prosecuting Attorney



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TESTIMONY ON
S.B. 2421
RELATING TO CANNABIS

February 16, 2026

The Honorable Joy A. San Buenaventura
Chair
The Honorable Angus L.K. McKelvey
Vice Chair
and Members of the Committee on Health and Human Services

The Honorable Jarrett Keohokalole
Chair
The Honorable Carol Fukunaga
Vice Chair
and Members of the Committee on Commerce and Consumer Protection

Chairs San Buenaventura and Keohokalole, Vice Chairs McKelvey and Fukunaga, and Members of the Committees:

The Department of the Prosecuting Attorney, County of Maui respectfully submits the following comments **in opposition to S.B. 2421**, Relating to Cannabis, and requests that the measure be deferred. This measure amends significant portions of the H.R.S. to implement the legalization and regulation of hemp, non-medicinal cannabis and cannabis products.

We understand that the intent of this measure is to create and implement a regulatory system for both hemp and non-medical cannabis use. However, our unique role as prosecutors also requires us to ensure the integrity of the criminal justice system and preserve public safety. This measure raises the following concerns regarding the legalization of non-medical cannabis use:

1. Federal law currently designates cannabis as a Schedule I controlled substance,

meaning that it generally cannot be manufactured, distributed, dispensed or possessed. The proposed amendments to the H.R.S. will not alter that status, meaning that Hawai'i citizens who are involved in this industry will be in violation of federal law. Moreover, the current illegality of cannabis under federal law makes it harder for cannabis businesses to use traditional financial institutions, which in turn makes those businesses more vulnerable to theft, robbery, money laundering and other crimes due to their increased reliance on cash transactions. While this bill does contain provisions that delay the effective date of a number of the adult-use cannabis provisions until the federal status of cannabis changes, it also allows a state constitutional amendment to trigger their effectiveness. We are concerned that this latter alternative could result in a direct conflict with federal law that, coupled with any future change in federal law enforcement priorities, could result in unwelcome negative consequences for both private citizens and state government.

2. Hawai'i has a significant lack of support services for both mental health and substance abuse issues. Legalization of non-medical cannabis use will not fix that problem, even if funds are allocated from cannabis industry taxation, and will in fact make it worse by making an existing intoxicant not only widely available, but heavily advertised. Furthermore, our county has spent decades trying to reduce the tragic consequences of crimes like DUI and drug-related violence and property crimes. Legalizing a psychoactive substance like cannabis for recreational use, even with built-in provisions addressing cannabis-related offenses, nullifies that work.

3. There are potential unforeseen consequences in implementing the bill's safe harbor provisions. For example, §A-4(b) allows strict compliance with the newly-created chapter to act as an affirmative defense to any prosecution involving marijuana or marijuana concentrate, while §A-5 (2) ostensibly prevents the chapter from being construed to supersede laws relating to performance of any task while impaired by cannabis that would constitute negligence or professional malpractice, or prevent the imposition of civil, criminal or other penalty for "the conduct." As drafted, the bill arguably would prevent prosecution for crimes like a burglary involving the theft of personal use quantities of marijuana from a residence, assuming the offender strictly complied with the chapter. Further, as drafted §A-5(2) could be interpreted to apply solely to conduct constituting negligence or professional malpractice, as opposed to other types of criminal conduct such as the burglary example above.

4. While State and County employees are competent, diligent and hard-working, we believe that the creation of an effective state-wide regulatory scheme for the production and sale of a psychoactive substance for public consumption with potentially no significant implementation or education delay is unrealistic.

For these reasons, the Department of the Prosecuting Attorney, County of Maui **opposes the passage of S.B. 2421 and requests that the measure be deferred.** Please feel free to contact our office at (808) 270-7777 if you have any questions or inquiries.

Thank you very much for the opportunity to provide testimony on this bill.



POLICE DEPARTMENT COUNTY OF KAUA'I



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

ELLIOTT K. KE, CHIEF OF POLICE
MARK T. OZAKI, DEPUTY CHIEF OF POLICE

February 15, 2026

Senate Committee on Health and Human Services
Senate Committee on Commerce and Consumer Protection
Thirty-third State Legislature
Regular Session of 2026
State of Hawai'i

LATE

RE: Testimony in Opposition to Senate Bill 2421, Relating to Cannabis

Chair Buenaventura, Chair Keohokalole, Vice Chair McKelvey, Vice Chair Fukunaga, and Members of the Committees:

On behalf of the Kaua'i Police Department, I am submitting testimony in **OPPOSITION to SB 2421**, which proposes to establish a Hawai'i Cannabis and Hemp Office and legalize personal adult use of cannabis, contingent upon certain federal or constitutional conditions. While we recognize the Legislature's intent to create a regulated framework, we remain deeply concerned about the significant public safety, enforcement, and resource implications of this measure.

As raised by law enforcement and other state agencies during testimony on similar legislation last session, major implementation challenges arise when statutory changes outpace practical enforcement capabilities. These include impaired driving enforcement, public consumption issues, and clarity in criminal statutes.

Cannabis-impaired driving remains difficult to detect and enforce due to the lack of reliable roadside testing comparable to alcohol breath testing. Legalization may increase impaired driving risks while limiting effective enforcement tools.

Additionally, implementation would place additional strain on county law enforcement resources. Successful legalization frameworks in other states required significant upfront investments in regulatory infrastructure, officer training, public education campaigns, laboratory capacity, and administrative oversight. SB 2421 does not sufficiently ensure that counties will receive the funding and support necessary to manage these expanded responsibilities.

We are also concerned about youth access, public consumption enforcement, and the continued presence of illicit markets, all of which place ongoing demands on county law enforcement. Legalization can reduce the perceived risk of cannabis use among adolescents, potentially increasing access and use. Any regulatory structure must prioritize robust youth prevention, education, and enforcement measures — none of which are fully developed or funded in the current proposal.

While proponents suggest legalization may reduce certain cannabis-related arrests, experience elsewhere demonstrates that illicit markets often persist, regulatory violations increase, and

Senate Committee on Health and Human Services
Senate Committee on Commerce and Consumer Protection
February 15, 2026
Re: Opposition to SB 2421
Page 2 of 2

enforcement priorities shift rather than disappear. The overall workload for law enforcement does not necessarily decline and may become more complex.

For these reasons, I respectfully urge the Committee to **OPPOSE SB 2421**. Thank you for the opportunity to provide testimony.

Respectfully submitted,



Elliott K. Ke
Chief of Police
Kaua'i Police Department



Submitted Online: February 16, 2026

TO: Senate Committee on Health & Human Services
Senator Joy San Buenaventura, Chair
Senator Angus McKelvey, Vice Chair

Senate Committee on Commerce & Consumer Protection
Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice-Chair

FROM: Eva Andrade, President

RE: Opposition to SB2421 Relating to Cannabis

Hawaii Family Forum is a nonprofit, pro-family education organization committed to preserving and strengthening families in Hawai‘i. We respectfully oppose SB 2421.

SB 2421 represents one of the most sweeping cannabis policy proposals introduced in Hawai‘i. Rather than addressing a narrow regulatory gap, this measure creates an entirely new legal framework that would fundamentally reshape how cannabis is regulated, commercialized, and normalized across our state.

The bill establishes a powerful new Hawaii Cannabis and Hemp Office with broad authority over licensing, taxation, enforcement, and rulemaking. While presented as a regulatory improvement, this structure effectively builds the permanent infrastructure for a large-scale commercial cannabis industry. Once such a system is created, it becomes difficult to reverse, regardless of long-term public health outcomes.

Although the bill states that full adult-use legalization may depend on federal action or a constitutional amendment, it clearly lays the groundwork for that outcome. By pre-building the regulatory machinery, SB 2421 signals a clear policy direction toward normalization and eventual expansion of recreational cannabis use in Hawai‘i.

This proposal also accelerates commercialization by establishing taxation systems, licensing pathways, and programs designed to expand participation in the cannabis marketplace. While often framed in terms of economic development or social equity, these provisions ultimately rely on increasing availability and normalization of a psychoactive substance that carries well-documented risks, particularly for youth and vulnerable populations.



**SB 2421 Relating to Cannabis
Page Two**

Notably, the bill itself acknowledges ongoing public health concerns, including risks to children and the need for education campaigns. This internal contradiction highlights the core concern: expanding access while simultaneously warning about harms sends mixed signals to families and communities.

Hawai'i should proceed with caution before establishing permanent infrastructure that encourages long-term industry growth. Other states that have legalized cannabis continue to grapple with unintended consequences, including youth exposure, impaired driving, increased potency products, and challenges regulating commercial marketing practices.

At a time when families, educators, and health professionals are already navigating rising behavioral and mental health challenges among youth, SB 2421 moves policy in the wrong direction. Building a regulatory system designed to expand access and normalize use risks compounding those challenges rather than addressing them.

For these reasons, Hawaii Family Forum respectfully urges the Committee to defer SB 2421.

Thank you for the opportunity to testify.



Senate Committee on Commerce and Consumer Protection
Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair

Senate Committee on Health and Human Services
Senator Joy San Buenaventura, Chair
Senator Carol Fukunaga, Vice Chair

Hearing Date: Tuesday, February 17, 2026

ACS CAN OPPOSES and Asks for Clarification on SB 2421: RELATING TO CANNABIS.

Cynthia Au, Government Relations Director – Hawaii Guam
American Cancer Society Cancer Action Network

Thank you for the opportunity to **OPPOSE** and ask for clarity on SB 2421: RELATING TO CANNABIS. American Cancer Society Cancer Action Network (ACS CAN) is the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society. We support fact-based policy and legislative solutions designed to eliminate cancer as a major health problem for everyone.

ACS CAN remains concerned about reducing exposure to secondhand smoke. Expanding the use of cannabis only heightens these concerns and we encourage the legislature to ensure cannabis laws do not undermine effective tobacco control laws and further health disparities.

ACS CAN requests clarification that smoking, including the use of e-cigarettes, of any cannabis or cannabis derived products, including hemp, whether natural or synthetic, is prohibited by chapter 328J. Referencing “in public” and “open to the public” could create unnecessary confusion. ACS CAN also requests that any authorization issued by a college or university to allow the use of so-called “medical cannabis” on campus should not include cannabis or hemp intended for inhalation in all workplaces and public places. This includes prohibiting indoor smoking, including the use of e-cigarettes, associated with permits for special events and social consumption.

Page 62 lines 17-20 references requirements for an annual report to include public health and safety data, but it only includes “accidental ingestion by minors and cannabis-related driving accidents,” and data collected, receive or analyzed by the office. *We urge the state to collect baseline data on cannabis use and monitor the ongoing impact of legalized cannabis on the use of tobacco and other substances including alcohol, opioids and to track psychosis and other behavioral health conditions. We also urge the state to collect data on how engaging “disproportionately impacted area(s)” in the cannabis industry impacts health equity, including the impact of cannabis use, sales and all cannabis business locations in these areas as well as ensure equitable enforcement.*

Page 66 lines 11-13 references the makeup of the advisory board should at a minimum include one person with a professional background in public health, mental health, substance abuse or toxicology. Given the office is charged with the “protection of public health and safety” we recommend more than one seat for public health on the advisory board – one with a professional background in public health, one with a professional background in mental health, one with a professional background in substance abuse and one with a professional background in toxicology.

Cannabis smoke, like tobacco smoke, is a lung irritant and can pose significant risks to people who use and to those near use.

ACS CAN opposes smoking or aerosolization of any form of cannabis. ACS CAN supports prohibiting smoking or aerosolizing of marijuana and other cannabinoids, including hemp in public places because the cancer-causing substances found in marijuana smoke pose numerous health hazards to the individual using and others in their presence. Secondhand marijuana smoke can pass THC, with people exposed feeling a psychoactive effect.ⁱ This can be especially dangerous for children who are exposed. Allowing the smoking or aerosolizing of marijuana in public places also undermines the effectiveness of 100% smoke-free laws.

Thank you again for the opportunity to oppose SB 2421 and for clarity. ACS CAN would be available to speak with lawmakers on specific language in the bill. Should you have any questions, please do not hesitate to contact Government Relations Director Cynthia Au at 808.460.6109, or Cynthia.Au@Cancer.org.

ⁱ CDC. Marijuana FAQs. Accessed February 11, 2022: <https://www.cdc.gov/marijuana/faqs.htm>

Cannabis Use and Public Health: Protecting Workers and Communities

Smoke-free laws protect the public and workers from the health hazards of secondhand smoke, and those protections must extend to cannabis smoke. Smoking cannabis (often referred to as marijuana) in public places unnecessarily exposes individuals who don't use cannabis to secondhand smoke, posing potential health risks. **Permitting cannabis smoking or e-cigarette use in public places compromises highly effective smoke-free laws.** Comprehensive smoke-free laws improve indoor air quality, reduce secondhand smoke exposure, change social norms regarding the acceptability of smoking, prevent youth and young adult smoking initiation, reduce asthma hospitalizations among people who don't smoke, and promote cessation.^{1,2} Prohibiting cannabis smoking including the use of e-cigarettes should be a part of a comprehensive smoke-free law.

Research on the Health Impact of Cannabis Smoke

Cannabis smoke, like tobacco smoke, is a lung irritant and can pose significant risks to both people who use it and those exposed to it. **Smoked cannabis, regardless of how it is smoked, can harm lung tissues and contribute to respiratory symptoms such as cough, wheezing, and bronchitis.**³ Combustible cannabis products contain many of the same toxic chemicals found in tobacco smoke.³

- Studies measuring particulate matter from **cannabis smoke have found concentrations comparable to or exceeding those seen with tobacco smoke**, indicating the potential for harmful cardiovascular effects.^{4,5,6}
- Large-scale cardiovascular studies indicate that people under age 50 who use cannabis regularly are **significantly more likely to experience heart attacks compared with non-users**, with some analyses reporting multiple-fold higher risk among younger adults.⁷
- Cannabis smoke contains **many of the cancer-causing substances found in tobacco smoke**, and studies have found an association between regular cannabis use and an increased risk of testicular cancer.⁸
- Though the cancer risk of cannabis exposure continues to be understudied, **evidence is emerging of an increased risk of other types of cancer** (e.g., lung squamous cell carcinoma, head and neck squamous cell carcinoma, and oral, breast, liver, cervical, laryngeal, pancreatic, thyroid, and childhood cancer).⁹

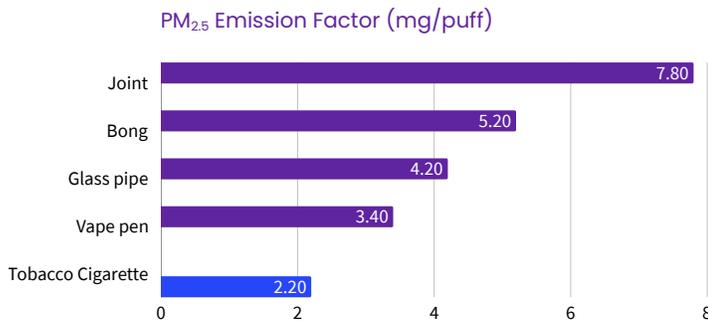
Cannabis Smoke Threatens Worker and Public Health

- **All smoke is harmful.** Whether from tobacco or cannabis, secondhand smoke exposure poses serious health risks, including respiratory disease, heart disease, and increased risk of certain cancers.³
- **Cannabis smoke contains fine particulate matter (PM) at levels comparable to—and in some cases exceeding—those found in tobacco smoke.**^{4,5,6}
- **Workers deserve to work in smoke-free workplaces.** Exemptions for cannabis businesses puts workers and patrons at risk.
- **Ventilation and air-cleaning systems do not eliminate exposure to the carcinogens in secondhand smoke.** The only proven way to fully protect people is to eliminate smoking in indoor public spaces.²⁴
- Allowing smoking in cannabis businesses **sacrifices worker health, exposes patrons to toxic smoke, complicates enforcement of smoke-free laws, and re-normalizes indoor smoking.**

What is Cannabis?

Cannabis, commonly known as marijuana, is derived from the dried leaves, flowers, stems, and seeds of the cannabis plant and is the most commonly used federally illegal drug.¹¹ The primary psychoactive compound in cannabis is the cannabinoid delta-9 tetrahydrocannabinol (THC). Cannabis can be consumed in several ways, including smoking (in a joint, blunt, or pipe); heating or aerosolizing (such as through vaping devices or e-cigarettes); ingestion (mixed into foods or beverages, including edibles or gummies); infusion into alcohol or oils (tinctures); or topical application to the skin through lotions or balms.¹²

Emissions from Cannabis vs. Tobacco¹⁰



Source: Ott et al. (2021), *Measuring indoor fine particle concentrations, emission rates, and decay rates from cannabis use in a residence*, *Atmospheric Environment*, Vol 10.

Rise in Cannabis Use

Over the past several decades, **cannabis products have become significantly more potent**, increasing both the intensity of exposure for users and the potential risks to non-smokers.¹³ The University of Michigan’s Monitoring the Future Panel Study, which examines substance use among adults ages 19 to 65, found that **cannabis use remains at or near the highest levels ever recorded**, with significant increases over the past five and ten years across multiple age groups. Among adults ages 19–30, past-year, past-month, and daily cannabis use in 2024 remained near historic highs, while among adults ages 35–50, the prevalence of cannabis use has more than doubled over the past decade.¹⁴ The study also found that cannabis use disorder has increased over the past five years among adults ages 40–50.¹⁴ **CDC estimates that about 3 in 10 people who use cannabis develop cannabis use disorder**, with higher risk among those who start during adolescence or use cannabis more frequently.¹²

Cannabis use among U.S. teens remained stable in 2025, with 8% of 8th graders, 16% of 10th graders, and 26% of 12th graders reporting past-year use, continuing the low levels observed since the pandemic-related decline in 2021.¹⁵ Among eighth graders who used e-cigarettes to consume cannabis, flavored use rose from 47% to 63%, with similar increases among 10th graders (41% to 53%) and 12th graders (36% to 50%), highlighting growing concern about the appeal of flavored products to youth.¹⁶

Cannabis Regulation

Cannabis regulations in the United States is complex. At the federal level, cannabis is currently classified as a Schedule I substance under the Controlled Substances Act, meaning it is considered to have a high potential for abuse and no accepted medical use, and unauthorized manufacture, distribution, or possession remains illegal.¹⁷ In December 2025, President Trump signed an executive order directing the Department of Justice to complete the rulemaking process to reschedule cannabis to Schedule III, which includes substances with moderate to low potential for physical or psychological dependence.¹⁸ Rescheduling would not legalize cannabis federally, but it could reduce regulatory barriers to research, ease certain federal tax burdens, and could signal a shift in federal enforcement priorities. However, broader legalization would still require congressional and additional regulatory action.¹⁸

The majority of states have enacted laws to regulate cannabis sales and use.¹⁹ Cannabis remains illegal under federal law, which supersedes conflicting state laws.¹⁸

For teens who use e-cigarettes, use of **flavored cannabis products delivered through electronic devices** increased sharply between 2021 and 2024 and now represent the most common form of cannabis consumption in this group.¹⁶

Clinical Use of Cannabis

There has been clinical interest in using cannabis-related medications to treat cancer-related symptoms, particularly chemotherapy-induced nausea and vomiting. To date, the U.S. Food and Drug Administration has approved two synthetic cannabinoid drugs — dronabinol and nabilone — for the treatment of nausea and vomiting associated with cancer chemotherapy after other antiemetics have failed; dronabinol is also approved to treat anorexia with weight loss in HIV/AIDS. Another cannabis-derived drug (cannabidiol or CBD) is approved for treating seizures. It is important to note that none of these FDA-approved drugs require smoking or aerosolization, and the FDA has not approved the cannabis plant itself as a medical treatment.²⁰

Rolling Back Smoke-free Protections: Cannabis Undermines Indoor Smoking Exemptions

As cannabis laws have liberalized, the public's perception of the negative health effects from cannabis smoke has declined.²¹ The cannabis industry, which has documented ties to the tobacco industry, is capitalizing on the false belief that secondhand cannabis smoke is less dangerous in order to push for exemptions to longstanding smoke-free laws.

The rise of cannabis businesses (also known as consumption lounges or social use venues) poses an increasing threat to both public and worker health. These venues often allow customers to smoke on site, sometimes alongside food and drinks. Taking a page from the cigar and hookah bar playbook, the industry frames these venues as “experiences,” “social spaces,” and tourism amenities, while discounting the health risks to workers and patrons.²² The industry also promotes ventilation systems as a solution, despite clear evidence that ventilation does not eliminate exposure to the carcinogens in secondhand smoke. **Cannabis businesses risk recreating the same failed policy model as tobacco retailers and cigar bars by carving out exemptions that sacrifice worker health, expose patrons to toxic smoke, complicate enforcement, and re-normalize indoor smoking.**

ACS CAN's Position

ACS CAN supports the prohibition of the smoking or aerosolizing of cannabis and other cannabinoids in public places because the cancer-causing substances found in cannabis smoke pose numerous health hazards to the individual using and others in their presence. Allowing the smoking or aerosolizing of cannabis in public places also undermines the effectiveness of 100% smoke-free laws.

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To: Senator Joy A. Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice-Chair
Members of the Health and Human Services Committee

Senator Jarrett Keohokalole, Chair
Senator Carol Fukanaga, Vice-Chair
Members of the Commerce and Consumer Protection Committee

Fr: Casey Rothstein. CEO Green Aloha + Dispensary (Kauai)

Re: Testimony In **Support** on **Senate Bill (SB) 2421**
RELATING TO CANNABIS

Establishes the Hawaii Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant. Contingent upon specific changes at the federal level or a state constitutional amendment, legalizes the personal adult use of cannabis and decriminalizes certain marijuana-related offenses. Beginning 1/1/2027, establishes taxes on cannabis sales. Adds new traffic offenses relating to the consumption or possession of marijuana or marijuana concentrate. Transfers the personnel and assets of the Department of Health and assets of the Department of Agriculture relating to cannabis and hemp to the Hawaii Cannabis and Hemp Office. Establishes various positions within state entities. Appropriates funds.

Dear Chair Buenaventura, Chair Keohokalole, and Members of the Committees:

Green Aloha **supports** SB 2421 as it would establish a strong regulatory model for the sale of cannabis to discourage current illegal market activity and safeguard the public while also generating substantial tax revenue for the State even though it does not legalize cannabis right away.

Green Aloha is a member of HICIA and fully agrees with the testimony submitted by HICIA.

It is clear that the War on Drugs as a whole, but on Cannabis specifically, not only has not worked, but that it has caused far more harm than it has helped society. I'm sure that you will receive testimony with stories about drugs destroying lives, but it must be noted that every single one of these stories has occurred under the current system of criminalization that turns users into criminals and forces them into contact with the criminal element to obtain their cannabis. This illicit market doesn't ID for age and often peddles far more dangerous drugs than Cannabis. It is this illicit market that is the gateway to more dangerous drugs and the criminal underworld. Studies have shown that Cannabis use among children and teens actually declines in States that have legalized cannabis. This is because legality brings regulations, rules, education and understanding. More than half of the Country has come to realize this and seen their States make this change for the better, because really the only way you can make society better is with change. It's time that Hawaii makes a change for the better and

while this bill does not make the step to legalization and the true change that will come with legalization, it is a step in the right direction.

We strongly urge the committees to pass this measure to effectively regulate the cannabis industry, enforce against the illegal market, safeguard the public, and generate much-needed new tax revenue.

Thank you for the opportunity to testify.

LATE

To: Senator Joy A. Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice-Chair
Members of the Health and Human Services Committee

Senator Jarrett Keohokalole, Chair
Senator Carol Fukanaga, Vice-Chair
Members of the Commerce and Consumer Protection Committee

Fr: TY Cheng on behalf of HICIA Association.

Re: Testimony **In Support** on **Senate Bill (SB) 2421**
RELATING TO CANNABIS

Establishes the Hawaii Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant. Contingent upon specific changes at the federal level or a state constitutional amendment, legalizes the personal adult use of cannabis and decriminalizes certain marijuana-related offenses. Beginning 1/1/2027, establishes taxes on cannabis sales. Adds new traffic offenses relating to the consumption or possession of marijuana or marijuana concentrate. Transfers the personnel and assets of the Department of Health and assets of the Department of Agriculture relating to cannabis and hemp to the Hawaii Cannabis and Hemp Office. Establishes various positions within state entities. Appropriates funds.

Dear Chair Buenaventura, Chair Keohokalole, and Members of the Committees:

The Hawai'i Cannabis Industry Association represents a majority of the state's licensed medical cannabis dispensaries. HICIA **supports** SB 2421 as it would establish a strong regulatory model for the sale of cannabis to discourage current illegal market activity and safeguard the public while also generating substantial tax revenue for the State even though it does not legalize cannabis right away.

SB 2421 provides for a trigger mechanism so that Hawaii's cannabis stakeholders do not suffer when federal laws change, and Hawaii is left behind. We must prepare Hawaii's cannabis industry to benefit from inevitable legalization. It takes time for regulatory agencies and rules to be established. We cannot allow for Hawaii's cannabis industry to be left behind when the Federal government reschedules cannabis from Schedule 1 to Schedule 3, and potentially deschedules cannabis before the end of this President's final term.

In addition, the measure would consolidate various entities within Hawaii's cannabis industry, including our members, the medical cannabis dispensary licensees, under a single regulatory umbrella to control cannabis and hemp. Only through regulation and education can the State address the growing health crisis of illicit and intoxicating hemp products sold in local stores without lab testing, proper packaging, and age gating.

KEY FACTS ABOUT SB 2421

1) Substantial Tax Revenue Potential Estimated by New State Market Study

A new independent economic analysis commissioned by the state Department of Health's Office of Medical Cannabis Control and Regulation titled "[An Economic Analysis of the Current Medical and Future Adult-Use Cannabis Market in Hawaii](#)" finds that the state's medical cannabis dispensary program has successfully supplied the vast majority of patients without incident (the "Report").

The Report, prepared by Cannabis Public Policy Consulting and published December 19, 2025, estimates that the current total cannabis market in Hawaii (legal and illicit) ranges from \$198 million to \$384 million per year. The State could receive \$30 million a year in uncollected taxes if the current cannabis sales were taxed at the proposed 15% Cannabis Tax in year 1 of a dual-use program!

If Hawaii allows for a dual-use program for cannabis, the Report projects total cannabis sales across all sources could grow to between \$552 million and \$1.08 billion per year within 5 years under a modelled 15% total Cannabis Tax.

Therefore, the State of Hawaii can expect between **\$82 million and \$162 million** in new State tax revenue (10% Cannabis Tax + GET) each year. These new estimates are higher than the \$109.7 million a year in new State tax revenue reported in HICIA's previous estimates.

The Report confirms that there is a demand for cannabis by visitors up to \$138 million a year. This is further confirmed by the recent publication of [MMGY Portrait of American Travelers](#), that found that, compared to the average U.S. leisure traveler, more Hawaii prospects are interested in recreational cannabis experiences while on vacation (43% vs. 36%).

The Report actively surveyed potential and current Japan and Canada tourists and concluded that adult-use legalization in Hawaii would not influence their decision to travel, despite anecdotal opinions by local "travel experts". About 57.5% of Japanese respondents and 64.5% of Canadian respondents said legalization would have no effect on visit plans despite prohibitionist arguments. Guam and California saw no reduction in Japanese tourists after cannabis legalization.

See the Department of Health [Press Release](#) on the Report's findings.

2) Avoids Up-Front Appropriations (Transfer of Office of Medical Cannabis Control and Regulation)

SB 2421 transfers staff, resources, and funding of the OMCCR to the new cannabis Office. This approach enables cannabis sales to begin utilizing existing State resources and avoids the need for up-front appropriations. Additional programs, such as social

equity and new law enforcement resources, can then be funded through the expected \$30 million of new State tax revenue within the first year.

Breakdown of existing OMCCR resources and funding:

- a. 18 full-time employees
- b. \$2.5M annual operating budget appropriation
- c. \$2M in annual revenue from licensing fees and patient registration fees (special funds)
- d. \$2.8M in annual GET revenue from medical cannabis sales
- e. \$11.6M current cash balance

In addition, new licensing fees that are required prior to dual-use cannabis sales can generate additional funds to support program implementation. Conversion fees from the 8 Medical Cannabis Dispensaries alone would result in up to \$2.5M in revenue. Together with OMCCR resources, the state could easily launch a dual-use cannabis program utilizing \$10-11M in existing resources.

SB 2421 selected some of the best provisions from Massachusetts' dual-use legislation, which was mindful in establishing its program to avoid delays and cumbersome policies given the existing prevalence of illegal criminal cannabis sales. Allowing legal sales quickly was, therefore, vital to ensuring the success of their adult-use cannabis program. To that end, Massachusetts launched its cannabis commission with an initial appropriation of approximately \$2.7 million and an additional annual operating budget of \$5 million. Massachusetts' was able to issue licenses within 12 months, starting from scratch with this approach and limited funding.

CONCLUSION

SB 2421 is one of the few measures proposed this session with the potential to generate new revenue for the state without imposing additional tax burdens on residents and existing businesses. In addition, the measure would finally establish regulatory oversight and greater public safety for the sale and use of cannabis and hemp in preparation for the potential Federal descheduling of cannabis.

We strongly urge the committees to pass this measure to effectively regulate the cannabis industry, enforce against the illegal market, safeguard the public, and generate much-needed new tax revenue.

Thank you for the opportunity to testify.



To: Senator Joy A San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair
Members of the Health and Human Services Committee

Senator Jarett Keohokalole, Chair
Senator Carol Fukanaga, Vice-Chair
Members of the Commerce and Consumer Protection Committee

Fr: Jaclyn L. Moore, Pharm.D., CEO Big Island Grown Dispensaries

Re: Testimony In Support of Senate Bill (SB) 2421

Establishes the Hawai'i Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant. Contingent upon specific changes at the federal level or a state constitutional amendment, legalizes the personal adult use of cannabis and decriminalizes certain marijuana-related offenses. Beginning 1/1/2027, establishes taxes on cannabis sales. Adds new traffic offenses relating to the consumption or possession of marijuana or marijuana concentrate. Transfers the personnel and assets of the Department of Health and assets of the Department of Agriculture relating to cannabis and hemp to the Hawai'i Cannabis and Hemp Office. Establishes various positions within state entities. Appropriates funds.

Dear Chair San Buenaventura, Chair Keohokalole, and Members of the Committees:

Big Island Grown Dispensaries is one of eight medical cannabis dispensary licensees in the State. We operate a production campus and 3 retail locations on the Big Island of Hawaii. Our medical cannabis operation employs over 60 Big Island residents.

Mahalo for the opportunity to provide testimony **in support** of SB2421. SB2421 is a timely, necessary modernization of Hawaii's medical cannabis program that strengthens patient protections, improves regulatory clarity, and ensures Hawai'i is prepared for the rapidly evolving federal landscape — including the likely federal rescheduling of cannabis.

Federal rescheduling does not automatically legalize cannabis, but it does create a new legal and regulatory environment that may include federal expectations/standards around manufacturing, labeling, medical use, and controlled substance handling. SB2421 directly responds to federal policy shifts by reinforcing Hawaii's regulatory structure and clarifying responsibilities for a safe and functional program to ensure the state framework remains stable during a transition when federal rules and enforcement priorities may be unclear.

SB2421 addresses practical impacts of federal rescheduling, [potential] federal descheduling, or voter approved ConAm for adult use cannabis while tackling challenges the current medical cannabis program faces. It seeks to overhaul how cannabis (including hemp) is regulated in Hawaii by creating a unified state cannabis law and a new regulatory agency and provides a framework for adult cannabis use triggered by federal or state changes allowing for such. Big Island Grown supports SB2421, and the establishment of the Hawaii Cannabis and Hemp Office with the Department of Commerce and Consumer Affairs to regulate all aspects of the plant- medical, adult use, and hemp.

Thank you for the opportunity to testify.

Jaclyn L. Moore



Committees: Health and Human Services
Commerce and Consumer Protection
Hearing Date/Time: Tuesday, February 17, 2025 at 9:45am
Place: Conference Room 229 & Via Videoconference
Re: **Testimony of the ACLU of Hawai'i in support of SB2421
Relating to Cannabis**

Dear Chairs San Buenaventura and Keohokalole, Vice Chairs McKelvey and Fukunaga and Members of the Committees:

ACLU of Hawai'i **supports SB2421 and requests amendments.** The bill establishes the Hawai'i Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant contingent up on specific changes at the federal level or a state constitutional amendment. It also legalizes the personal use of cannabis and decriminalizes certain cannabis-related offenses. Beginning January 1, 2027, the bill establishes taxes on cannabis sales and adds new traffic offenses relating to the consumption or possession of cannabis or cannabis concentrate. Finally, the bill transfers the personnel and assets of the Departments of Health and Agriculture relating to cannabis and hemp to the Hawai'i Cannabis and Hemp Office, while establishing various positions within state entities and appropriating funds.

Adult-Use Cannabis Legalization Will Reverse Prohibition Policies that Violates an Individual's Right to Bodily Autonomy and Privacy.

The ACLU of Hawai'i supports adult-use cannabis legalization based on the rights of individuals to bodily autonomy and privacy enshrined in our federal and Hawai'i Constitutions. This includes the decision to use (or refuse) alcohol, tobacco, Tylenol or cannabis, a plant with known medicinal properties since time immemorial.¹

¹ Similarly, the ACLU of Hawai'i supports the rights of individuals to access reproductive care as a right to bodily autonomy, including but not limited to the abortion pill.

Second, individuals in Hawai'i have the explicit right to privacy.² Individuals should be able to exercise their right to bodily autonomy, and use or carry cannabis on their person, and within their houses and not be subject to unreasonable searches, seizures and invasions of privacy.

Adult-Use Cannabis Legalization Must Include Social Equity and Reparative Justice Reforms to Address the Harms Resulting from Decades of Cannabis Prohibition.

The ACLU of Hawai'i strongly supports comprehensive equitable policies to legalize, tax, and regulate adult use of cannabis, in tandem with social equity and reparative reforms to redress the devastating effects of cannabis prohibition policies.

Notably, these harms have disparately impacted Native Hawaiians. As reflected in The Disparate Treatment of Native Hawaiians in the Criminal Justice System Report conducted by the Office of Hawaiians Affairs and Justice Policy Institute, Native Hawaiians do not use drugs at drastically different rates from people of other races or ethnicities, but Native Hawaiians go to prison for drug offenses more often than people of other races or ethnicities.³

The Crime in Hawai'i 2021: A Review of Uniform Crime Reports⁴ compiled by the Hawai'i Attorney General Crime Prevention and Justice Assistance Division Research and Statistics Branch provides arrest data relating to marijuana possession.

Adult Part II Arrests by Offense, State of Hawai'i, Marijuana Possession

2017	2018	2019	2020	2021
627	900	791	523	237

² The Hawai'i Constitution reads as follows: "The right of the people to privacy is recognized and shall not be infringed without the showing of a compelling state interest. The legislature shall take affirmative steps to implement this right." Article I, section 6.

Additionally, Article I, section 7 of the Hawai'i Constitution states: "The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches, seizures, and invasions of privacy shall not be violated."

³ Office of Hawaiian Affairs. The Disparate Treatment of Native Hawaiians in the Criminal Justice System, Executive Summary, 2010. https://www.oha.org/wp-content/uploads/2014/11/es_final_web_0.pdf

⁴ Hawai'i Attorney General, Crime Prevention & Justice Assistance Division. Crime in Hawai'i 2021: A Review of Uniform Crime Reports. <https://ag.hawaii.gov/cpia/files/2023/04/Crime-in-Hawaii-2020.pdf>

As highlighted by the Attorney General’s data, individuals in Hawai’i continue to be arrested for cannabis possession despite passage of the decriminalization law in 2019.

Arrests are a gateway into the criminal legal system. For individuals convicted of cannabis possession of three ounces or more, or manufacturing or sale, they may be sentenced to incarceration, legal supervision, fines and a lifetime of collateral consequences resulting from a criminal legal record.

The failed War on Drugs in Hawai’i has contributed to severe overcrowding in Hawai’i’s jails and prisons.⁵ Many people are living in inhumane and unconstitutional conditions of confinement in our carceral facilities while separated from their loved ones, here in Hawai’i and in private for-profit prisons thousands of miles away.

Requested Amendments

We respectfully request that Section A-51 under Part IV be removed from SB2421:

§A-51 Personal adult use of cannabis; effective date. (a) This part shall take effect on the earlier of:

(1) The descheduling of marijuana under the federal Controlled Substances Act; the removal of all federal criminal penalties for the acquisition, cultivation, dispensing, distribution, possession, transportation, and use of marijuana by individuals and entities; or the enactment of federal legislation that legalizes the acquisition, cultivation, dispensing, distribution, possession, transportation, and use of marijuana for adult use;

(2) The enactment of federal legislation or the issuance of a final federal judicial decision that delegates, affirms, or recognizes the authority of states to regulate marijuana without being preempted by federal law; or

(3) The ratification of an amendment to the Hawai’i State Constitution legalizing cannabis.

(b) The attorney general shall certify in writing to the governor, administrator, president of the senate, speaker of the house of representatives, and revisor of statutes when a condition under subsection (a) has occurred.

This language is unnecessary and delays implementation to a future, unknown date. Nearly half the country has already legalized cannabis for recreational use by adults. By requiring action by the federal government or the adoption of an amendment to Hawai’i’s Constitution, we miss the opportunity to begin implementation now. And

⁵ <https://dcr.hawaii.gov/wp-content/uploads/2024/01/Pop-Reports-EOM-2023-12-31.pdf>

potentially implementation in a way that allows us to establish a locally-grown and locally-owned commercial cannabis industry.

There is no time and no reason to wait. We have the ability to implement recreational adult-use cannabis in Hawai‘i now.

In closing, mahalo for the opportunity to testify and for consideration of the proposed amendment to ensure a cannabis legalization regulatory system rooted in justice and equity.

Sincerely,

Josh Frost

Josh Frost

Policy Advocate

ACLU of Hawai‘i

jfrost@acluhawaii.org

With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai‘i is to protect the fundamental freedoms enshrined in the United States and Hawai‘i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai‘i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai‘i has been serving our communities in Hawai‘i for over 60 years.

Chair, Vice Chair, and Members of the Committee

I'm Landis Lum, director of IHS detox facility and am an addiction and family medicine physician.

4 years ago my stoned patient was driving dangerously and crashed into another car, causing severe injuries to a visiting tourist (who was in intensive care for weeks and still has bad pain from horrible burns) and killing her mother. Driving stoned is as bad as driving drunk but as there's no breath test for THC, their accidents are severely underreported. A 2023 study in the International Journal of Drug Policy found that legalization could account 1,400 additional U.S. fatalities annually, with larger effects in states that legalized earlier.

A study in the October 2022 issue of The Lancet in over 1000 New Zealanders followed cannabis users and nonusers from age 18 and found that by the young age of 45, users had MRI's showing brain damage, were less fit (slower walking times) and had lower wealth due to being in lower paying jobs. More were on welfare. Other studies have shown cannabis users have lower graduation rates from high school and college, and therefore that the initial increased tax revenues from legalization would be reversed and become a net negative due to reduced income by middle age.

Physicians or Advanced Practice Registered Nurses (APRN) can write letters allowing people to get cannabis at dispensaries by saying that the patient has a medical condition where the potential benefits of medical cannabis outweigh the risks. I used to write approvals for anyone who asked, as I used to smoke pot myself and felt it could help anxiety, pain, PTSD etc. But there are much better treatments for these than weed. We don't need recreational legalization, as anyone who wants weed can now get it.

And MDs or nurses don't see them back to monitor either effectiveness or side effects. Cannabis edibles or flowers have never been FDA approved for any medical condition, guaranteed their purity and potency, nor found their benefits to exceed their risks based on sound research (randomized controlled studies), so saying "medical cannabis" gives it unwarranted stature.

Schizophrenia is responsible for more psychiatric admissions in Hawaii than any other condition. Multiple studies show that cannabis can cause incurable schizophrenia, leading to homelessness and increased hospitalizations at taxpayer expense. If the FDA ever did cannabis studies, they would find their harms outweighed their benefits and ask states to remove the term "medical cannabis" from their lexicon.

Legalizing recreational use will reduce net tax revenues by making people more lazy and nonproductive, and THC harms (increased mental illness and

traffic fatalities) are under appreciated. Why give our keiki the wrong message “it’s legal, therefore it must be safe: I’m going to try it!”

As Elton John said: "I maintain that it’s addictive. It leads to other drugs. And when you’re stoned—and I’ve been stoned—you don’t think normally. Legalizing marijuana in America and Canada is one of the greatest mistakes of all time.”

Only 10% use cannabis only for health reasons. The most common reason cited for using THC: for fun. Do we want to leave our keiki a legacy of decreased health, wealth, and life satisfaction so adults can have fun?

Sincerely, Landis Lum MD

References:

[https://www.thelancet.com/journals/lanhl/article/PIIS2666-7568\(22\)00201-X/fulltext](https://www.thelancet.com/journals/lanhl/article/PIIS2666-7568(22)00201-X/fulltext)

<https://psychiatryonline.org/doi/10.1176/appi.ajp.2021.21060664>



LATE

To: Senator Joy A. Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice-Chair
Members of the Health and Human Services Committee

Senator Jarrett Keohokalole, Chair
Senator Carol Fukanaga, Vice-Chair
Members of the Commerce and Consumer Protection Committee

Fr: Karlyn Laulusa on behalf of Manoa Botanicals, LLC.

Re: Testimony In Support on Senate Bill (SB) 2421

RELATING TO CANNABIS

Establishes the Hawaii Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant. Contingent upon specific changes at the federal level or a state constitutional amendment, legalizes the personal adult use of cannabis and decriminalizes certain marijuana-related offenses. Beginning 1/1/2027, establishes taxes on cannabis sales. Adds new traffic offenses relating to the consumption or possession of marijuana or marijuana concentrate. Transfers the personnel and assets of the Department of Health and assets of the Department of Agriculture relating to cannabis and hemp to the Hawaii Cannabis and Hemp Office. Establishes various positions within state entities. Appropriates funds.

Dear Chair Buenaventura, Chair Keohokalole, and Members of the Committees:

My name is Karlyn Laulusa and I am the Chief Executive Officer at Manoa Botanicals, and I stand **in strong support** of **SB2421**.

At a high level, the most recent data from the Department of Health (DOH) and the Department of Business, Economic Development and Tourism (DBEDT) supports four unavoidable conclusions:

1. The Medical Cannabis Program Is in Decline

Despite recent legislative efforts to reduce patient costs and expand telehealth access, the medical cannabis program continues to contract while unregulated cannabis proliferates:

- 2025 marked the fourth consecutive year of patient decline (-3.84% year over year) and down 15% since 2021.
- Two licensed dispensaries have closed and two licensees have ceased production



- DOH’s Economic Analysis claims the medical program is structurally sound but economically fragile, due to:
 - High fixed regulatory costs
 - A shrinking patient base
 - Intense competition from unregulated markets

2. Unregulated Cannabis Sales Now Dominate the Market

DOH’s December 2025 Economic Analysis confirms Hawai‘i already has a large cannabis market — it is simply operating without regulation:

- Licensed medical dispensaries generate approximately \$5 million per month
- Unregulated cannabis sales are estimated at 3 to 5 times that amount
- All islands have 5–10 times more unregulated outlets than licensed dispensaries.
- These unlicensed dispensaries primarily sell products produced outside of Hawai‘i

Distribution Channel	Revenue p/Month	Revenue p/Year
Medical Dispensaries	\$5 Million	\$60 Million
Non-regulated Market*	\$11.5 - \$25 Million	\$138 Million - \$300 Million
Total Market*	\$16.5 - \$30 Million	\$198 Million - \$360 Million

Continued policy inaction effectively rewards noncompliance, undermines public health oversight, and erodes the rule of law.

3. Hawai‘i Continues to Regulate Cannabis and Hemp as Separate Realities

Cannabis and hemp are the same plant, yet Hawai‘i continues to regulate them through fragmented and inconsistent statutes:

- More bills have been introduced to expand intoxicating hemp products than to stabilize the medical program or unify regulation
- Act 269 created a hemp registry, yet compliance remains extremely low and enforcement delayed
- Numerous retailers continue selling intoxicating products outside the regulated system
- Current regulations across HRS, HAR, and the penal code create enforcement gaps and regulatory confusion

This fragmented approach has accelerated unregulated sales rather than reduced them.

4. Incremental Bills Alone Will Not Solve a Systemic Problem

This session includes multiple cannabis-related measures addressing hemp expansion, medical access, patient protections, youth prevention, and employment rights. While many are well-intended, only one measure establishes a comprehensive regulatory framework.



- SB2421 proposes a unified Hawai'i Cannabis Law with a single regulatory authority
- DOH analysis confirms that:
 - Tourism impacts would be minimal
 - Youth consumption is unlikely to increase under improved regulation
 - Demand already exists and can be responsibly regulated
- DBEDT data shows cannabis tourism interest is real, measurable, and incremental, aligning with Hawai'i's experience-driven visitor economy

Delay does not preserve the status quo — it continues to expand unregulated markets while weakening public health protections, rule of law, and forgoes the economic opportunity of cannabis both for the State and Hawai'i's people.

We appreciate your time, your service, and your thoughtful consideration of data-driven policy solutions for Hawai'i.

With respect,

Karlyn Laulusa
Chief Executive Officer
Noa Botanicals

TAX FOUNDATION OF HAWAII

735 Bishop Street, Suite 417

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: MISCELLANEOUS, GENERAL EXCISE, Legalizes and Taxes Cannabis

BILL NUMBER: SB 2421, HB 1625

INTRODUCED BY: SB by SAN BUENAVENTURA, HASHIMOTO; HB by TARNAS, AMATO, BELATTI, GRANDINETTI, ILAGAN, KAHALOA, KAPELA, KUSCH, LOWEN, MARTEN, POEPOE, TAM

EXECUTIVE SUMMARY: Establishes the Hawai'i Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant. Contingent upon specific changes at the federal level or a state constitutional amendment, legalizes the personal adult use of cannabis and decriminalizes certain marijuana-related offenses. Beginning 1/1/2027, establishes taxes on cannabis sales. Adds new traffic offenses relating to the consumption or possession of marijuana or marijuana concentrate. Transfers the personnel and assets of the Department of Health and assets of the Department of Agriculture relating to cannabis and hemp to the Hawai'i Cannabis and Hemp Office. Establishes various positions within state entities. Appropriates funds.

SYNOPSIS: Adds a new chapter to the HRS regarding cannabis. Provides that use in conformity with the new chapter is decriminalized. Establishes a Hawaii cannabis and hemp office. Establishes a Cannabis Regulation and Enforcement Special Fund. Provides for authorized conduct including medical use of cannabis. Provides for authorized personal adult use of cannabis. Provides for regulation and licensing of cannabis related businesses. Provides for authorized uses of hemp and businesses surrounding that product. Provides for a social equity grant program Provides for a public health and education campaign and grant program. Provides for a public safety grant program. Provides for a Hawaii hemp grant program.

Adds a new chapter to the HRS titled the Hawaii Cannabis Tax Law. Section B-3 imposes a tax on 4% of the gross proceeds of sales from medical cannabis and 4% on the gross proceeds of sales from other than medical cannabis.

Section B-10 says that the tax is imposed in addition to any tax otherwise applicable to the business (GET, for example).

Per section B-7, tax revenues are distributed as follows:

(1) An amount necessary to defray the cost of the operations and administrative expenses of the Hawaii cannabis and hemp office, to the new cannabis regulation and enforcement special fund.

(2) Then:

- (A) 30% to the social equity grant program subaccount established by section A-16(c);
- (B) 10% to the public health and education grant program subaccount established by section A-16(d);
- (C) 10% to the public safety grant program subaccount established by section A-16(e);
- (D) 5% to the Hawaii hemp grant program subaccount established by section A-16(f);
- (E) 5% to the counties, which shall be allocated to each county based on the percentage of revenue collected from that county;
- (F) 5% to the department of the attorney general for the drug nuisance abatement unit established under section 28-131; and
- (G) 5% to the department of the attorney general for the special investigation and prosecution division for the purpose of preventing the proliferation of money laundering and organized crime that may result from the expansion of the legal cannabis market or is related to fentanyl and methamphetamine.

Makes various technical and conforming amendments.

EFFECTIVE DATE: July 1, 2026; provided that: (1) Sections A-51 through A-55, Hawaii Revised Statutes, of section 2 of this Act and sections 31, 32, and 33 of this Act shall take effect on the earlier of: (A) The descheduling of marijuana under the federal Controlled Substances Act; the removal of all federal criminal penalties for the acquisition, cultivation, dispensing, distribution, possession, transportation, and use of marijuana by individuals and entities; or the enactment of federal legislation that legalizes the acquisition, cultivation, dispensing, distribution, possession, transportation, and use of marijuana for adult use; (B) The enactment of federal legislation or the issuance of a final federal judicial decision that delegates, affirms, or recognizes the authority of states to regulate marijuana without being preempted by federal law; or C) The ratification of an amendment to the Hawaii State Constitution legalizing cannabis; and (2) Part III of this Act shall take effect on January 1, 2027.

STAFF COMMENTS: The question that should be asked is the purpose of this new tax. If the goal is to make people stop using cannabis by making it cost-prohibitive, then why are we legalizing it?

Certainly, the same can be said of other “sin taxes” that we impose on tobacco, liquor, and fossil fuel use.

As the Foundation’s previous President, Lowell Kalapa, wrote in the Tax Foundation of Hawaii’s weekly commentary on October 28, 2012:

Lawmakers seem to have a simplistic reaction to solving problems the solution to which plagues their constituents – tax it.

Probably the best example is what people like to call sin taxes, those excise taxes that are levied on tobacco and alcohol products. After all, smoking causes cancer

and alcohol causes all sorts of problems including driving under the influence. Lawmakers and community advocates shake their heads and push for higher tax rates, arguing that making these products more expensive will deter folks from using these products.

The problem is that lawmakers also like the revenues that are generated from the sales of these products and, in some cases, they have tried to link the use and sale of these products with noble causes such as the funding of the Cancer Research Center that is currently being built. Again, the argument is that smokers should pay for programs and projects which seek to cure the related ill which in this case is cancer caused by smoking.

The irony is that arguments to increase the tax on tobacco and, more specifically, cigarettes, is a goal of getting smokers to quit while depending on the revenues from tobacco and cigarette taxes to fund an ongoing program, in this case the Cancer Research Center. So, which is it folks, stop smokers from smoking and if successful, there won't be any revenues to fund the Cancer Research Center?

The fact of the matter is that it appears that both locally and nationally, higher taxes on cigarettes are influencing smokers as tax collections on the sale of cigarettes have fallen. Certainly some of the decline is due to smokers actually quitting, but to some degree one has to suspect that some purchases were made via mail order from exempt Indian reservation outlets while others may be what is called gray market purchases, that is from sources outside the country.

What should come as a surprise is that most of the folks who have quit are of some means as they are more likely to recognize the health hazard caused by use of this product. That means most of those who are still smoking are among the lower-income members of our community. Thus, the tax is regressive, generating less and less collections from middle and higher-income individuals.

Kalapa, "Finding the Blame for What Ails You," at <https://www.tfhawaii.org/wordpress/blog/-2012/10/finding-the-blame-for-what-ails-you/> (Oct. 28, 2012).

If the policy choice is to legalize the activity, then it should be sufficient to tax it like any other business. If we add an extra tax to discourage the activity, isn't it being hypocritical? If we add an extra tax to pay for societal damage this activity causes, why aren't we accepting that we are causing the damage by allowing the activity?

Digested: 2/15/2026



**TESTIMONY OF TINA YAMAKI, MANAGING DIRECTOR
HAWAII TRANSPORTATION ASSOCIATION
FEBRUARY 17, 2026
SB 2421 RELATING TO CANNIBIS**

Aloha Chair San Buenaventura and Chair Keohokalole and members of the Senate Committee on Health and Human Services and the Senate Committee on Commerce and Consumer Protection. I am Tina Yamaki, Managing Director of the Hawaii Transportation Association and I appreciate this opportunity to testify.

The Hawaii Transportation Association (HTA Hawaii) was founded in 1938 and incorporated in 1963, and is a private, non-profit trade organization dedicated to the service and assistance to the commercial ground transportation industry in the State of Hawaii. Our members include family owned small and medium sized businesses, independent owner operators, and national motor carriers range from delivery services to passenger carriers - as well as allied industry partners.

HTA Hawaii strongly opposes SB 2421. This measure establishes the Hawaii Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant; contingent upon specific changes at the federal level or a state constitutional amendment, legalizes the personal adult use of cannabis and decriminalizes certain marijuana-related offenses; beginning 1/1/2027, establishes taxes on cannabis sales; adds new traffic offenses relating to the consumption or possession of marijuana or marijuana concentrate; transfers the personnel and assets of the Department of Health and assets of the Department of Agriculture relating to cannabis and hemp to the Hawaii Cannabis and Hemp Office; establishes various positions within state entities; and appropriates funds.

While we acknowledge the intent to centralize regulation within the proposed Hawaii Cannabis and Hemp Office under the Hawaii Department of Commerce and Consumer Affairs, the broader legalization framework presents substantial economic, operational, and public safety risks for Hawaii's visitor-dependent economy and transportation infrastructure.

Hawaii's economy is heavily reliant on international visitors, particularly from Japan. Feedback from stakeholders in the Japanese travel sector indicates that legalization of marijuana may deter Japanese travelers from visiting Hawaii. Japan remains one of Hawaii's most important visitor markets. Cannabis remains illegal in Japan and is culturally stigmatized. If legalization creates even a modest perception that Hawaii is a "cannabis destination," the reputational risk to our brand as a safe, family-friendly location could result in measurable declines in arrivals. Commercial transportation companies like our tour buses, taxis, limousines, shuttles, and transportation network operators are directly tied to visitor volume. A reduction in Japanese arrivals would have immediate downstream impacts on drivers, dispatchers, mechanics, and small business operators statewide.

Marijuana remains a Schedule I controlled substance under the federal Drug Enforcement Administration and is illegal under federal law alongside substances such as methamphetamine.

This presents significant concerns for commercial transportation as commercial drivers are subject to federal DOT drug testing standards; positive marijuana tests regardless of state legality can result in disqualification; employers face increased compliance burdens and liability exposure; and interstate transportation operations must adhere to federal motor carrier regulations. Legalization at the state level does not change federal enforcement standards for CDL holders. This creates regulatory conflict and operational uncertainty for commercial carriers.

SB 2421 proposes new traffic offenses relating to consumption and possession. Unlike alcohol, THC impairment is difficult to measure with standardized roadside testing. Impairment detection remains scientifically and operationally challenging. There is no widely accepted roadside equivalent to alcohol breath testing for marijuana impairment; THC metabolites can remain detectable long after impairment has subsided; and law enforcement training and equipment upgrades would require substantial investment.

Commercial transportation vehicles share roadways with all motorists. Any increase in impaired driving risk directly endangers passengers, drivers, and the public. Cannabis legalization would see an increase in driving impairment, slower reaction time; reduced motor coordination; altered perception of time and distance; and increased crash risk when combined with alcohol.

Proponents often cite tax revenue as a primary benefit. However, experience in other legalized states demonstrates that cannabis tax revenue generally accounts for less than 1% of total state budgets. Cannabis taxes can generate millions annually in larger states; however, Hawaii is NOT one of the larger states in the nation. Revenues fluctuate due to falling wholesale prices; black market competition; oversupply; regulatory costs; and the offsetting of expenses like regulation, enforcement, public health programs, lab testing, and impaired driving enforcement to name a few.

By comparison, Hawaii's tourism economy contributes billions annually in direct and indirect revenue. Even a small percentage reduction in visitor arrivals particularly from Japan could outweigh projected cannabis tax gains.

Revenue projections should be evaluated conservatively and balanced against potential tourism contraction, enforcement costs, regulatory staffing, public health expenditures, and infrastructure demands.

Hawaii already faces challenges related to substance abuse treatment capacity and behavioral health services. The State does not currently have adequate infrastructure to manage increased addiction treatment demand should legalization expand usage rates. Commercial transportation operators frequently encounter individuals in vulnerable conditions in public transit corridors, airport facilities, and visitor districts. Without expanded treatment resources, the burden may shift indirectly onto businesses and frontline workers.

We also want to point out that this measure would also establish a new regulatory office; transfer personnel from the Departments of Health and Agriculture; create new positions; and appropriate new funds. This represents significant administrative growth at a time when fiscal prudence is critical.

Mahalo for this opportunity to testify.



February 16, 2026

**Testimony on SB 2421: Relating to Cannabis
DOH; OMCCR; Medical Cannabis; Access; Temporary Authorization to
Purchase; Written Certification
Support With Amendment**

Aloha Chairs Keohokalole and San Buenaventura, Vice Chairs Fukunaga and McKelvey, and members of the Senate Commerce and Consumer Protection and Health and Human Services committees:

My name is Karen O’Keefe. I am the director of state policies for the nonprofit Marijuana Policy Project (MPP), the largest cannabis policy reform organization in the nation. We urge you to report SB 2421 favorably with amendments.

SB 2421 would move the regulatory authority for medical cannabis and hemp into a new Hawaii Cannabis and Hemp Office. It would also create a comprehensive system of legalization and regulation for adult-use cannabis, which would only take effect if it was triggered by federal de-scheduling or legalization, a favorable federal court decision or law on states’ authority to enact legalization laws, or the passage of a state constitutional amendment legalizing cannabis.

It makes sense to create an independent Hawaii Cannabis and Hemp Office. We also strongly support adult-use legalization, but urge the committee to amend the bill so legalization takes effect without waiting on a trigger.

More than 20% of Hawai’i adults admit having used cannabis in the past year,¹ while under 2.5% are registered patients.² That means more than 17% of Hawai’i residents are lawbreakers under state law for conduct most voters believe should be legal.³ Adults should not be punished for using a substance that is safer than alcohol,⁴ and which — for many — is an over-the-counter medicine.⁵ Forcing cannabis onto the illicit market also puts everyone involved at risk.

¹ [Interactive NSDUH State Estimates](#), "Marijuana Use in Past Year Among Adults Aged 18 or Older, by State: 2022-2023," U.S. Substance Abuse and Mental Health Services Administration. Accessed February 14, 2026.

² Hawaii Department of Health, [December 2025 Data Report](#). (showing 28,735 patients); Hawaii’s adult population is 1.15 million.

³ [Hawai’i Perspectives Winter 2023 Report](#).

⁴ See, i.e. "Facts About U.S. Deaths from Excessive Alcohol Use," Centers for Disease Control and Prevention (CDC); National Academies of Sciences, Engineering, and Medicine. 2017. The health effects of cannabis and cannabinoids: Current state of evidence and recommendations for research. Washington D.C.: The National Academies Press, Conclusion 4-1, p. 221 ("Although the available evidence suggests that cannabis use is not associated with an increased risk of all-cause mortality, the limited nature of that evidence makes it impossible to have confidence in these findings." "There is insufficient evidence to support or refute a statistical association between self-reported cannabis use and all-cause

⁵ "Cannabis Consumers in America 2023, Part 1: An Overview of Consumers Today," New Frontier Data, p. 12.

Until cannabis is legal and regulated, consumers will be at risk from hazardous pesticides, heavy metals, molds — and even lacing with hard drugs.⁶ On the illegal market, no one is checking IDs before selling marijuana. In contrast, licensed cannabis stores have overwhelming compliance with age-gating.⁷

In 19 of the 21 states that have legalization laws old enough to have before-and-after data, high schoolers' marijuana use has *decreased*.⁸ Moving cannabis sales from streets and schools to adult-only stores has been accompanied by reduced access and use of cannabis by youth.

SB 2421 would also impose a tax on cannabis, enabling the state to plug some of the gaps created by federal cuts. Based on projections from Nevada, we anticipate around \$50 million per year in annual tax revenue. **xx**

Hawai'i is likely missing out on tourists due to its policy of prohibition. Twenty-three percent of Americans adults admit to having used cannabis in the past year,⁹ and 15% of adults 26 and older use cannabis at least monthly.¹⁰ Just as most people who enjoy alcohol wouldn't want to vacation in a dry county, many cannabis consumers factor in the legal status when deciding where to travel. This is particularly the case since survey data shows that for most cannabis consumers.

While cannabis is not risk-free, it is far less dangerous than alcohol, tobacco and some medications. Hawai'i should treat adults like grown ups who are allowed to make their own decisions about the plant.

While states have revised some laws to try to keep up with best practices, no cannabis legalization law has been repealed. That's because they enjoy strong popular support, which increases post-legalization.¹¹

We hope you will amend and advance SB 2421.

⁶ See: Botelho, Diane & Boudreau, April & Rackov, Andrien & Rehman, Attiq & Phillips, Bruce & Hay, Cathy & Broad, Karen & Crowhurst, Peter & Cockburn, Sara & Smith, Troy & Balonova, Barbora. (2021). Analysis of Illicit and Legal Cannabis Products for a Suite of Chemical and Microbial Contaminants; "Unintentional use of fentanyl attributed to surreptitious cannabis adulteration," Hopwood, Taylor et al. Journal of the American Pharmacists Association, Volume 60, Issue 6, e370 - e374.

⁷ Carla J. Berg, Katelyn F. Romm, Alexandria Pannell, Priyanka Sridharan, Tanvi Sapra, Aishwarya Rajamahanty, Yuxian Cui, Yan Wang, Y. Tony Yang, Pat [Annual Reports | Monitoring the Future](#) ricia A. Cavazos-Rehg, Cannabis retailer marketing strategies and regulatory compliance: A surveillance study of retailers in 5 US cities, Addictive Behaviors, Volume 143, 2023, 107696, ISSN 0306-4603, See additional sources at: "Study: Licensed Cannabis Retailers Are Strictly Complying with ID Verification Laws," NORML, April 5, 2023. Available at:

<https://norml.org/blog/2023/04/05/study-licensed-cannabis-retailers-are-strictly-complying-with-id-verification-laws>

⁸ For citations and charts with the full before-and-after data, see: "Adult-Use Cannabis Legalization Corresponds With Drops in Teen Use," Marijuana Policy Project.

⁹ "Population Statistics Report: Marijuana Use or Opioid Misuse in the Past Year," NSDUH, Sept. 2025

¹⁰ "Key Substance Use and Mental Health Indicators in the United States, Results from the 2024" National Survey on Drug Use and Health, July 2025, p. 7.

¹¹ For the polling, see:

<https://www.mpp.org/issues/legalization/polls-show-overwhelming-support-for-legalizing-cannabis/>

Mahalo for your time and consideration. Please don't hesitate to reach out if I can answer any questions.

Sincerely,

A handwritten signature in black ink that reads "Karen O'Keefe". The signature is written in a cursive style with a large, prominent "K" and "O".

Karen O'Keefe
Director of State Policies
Marijuana Policy Project
202-905-2012
kokeefe@mpp.org

SB-2421

Submitted on: 2/16/2026 9:16:42 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Shelby "Pikachu" Billionaire	Testifying for Kingdom of The Hawaiian Islands & Ohana Unity Party	Support	Remotely Via Zoom

Comments:

****Testimony in Strong Support of SB2421 – Relating to Cannabis (Hawaii Cannabis Law)****

Aloha kakou, Chair and Members of the Committee,

I am Master Shelby "Pikachu" Billionaire, HRM, Kingdom of The Hawaiian Islands, H.I., Chairman of the Ohana Unity Party. Aloha nui loa from the heart of our islands, where we live by the guiding spirit of ****aloha****—love, compassion, mercy, kindness, and grace—and where ****‘ohana**** means we lift every member, never leaving anyone behind, as the ‘ōlelo no‘eau teaches: *‘Ike aku, ‘ike mai. Kōkua aku, kōkua mai. Pēlā ka nohona ‘ohana.* “Observe others, be observed. Help others, be helped. That is the way of family life.”

Today, I stand before you in full, unwavering support of SB2421, urging its swift passage to bring sensible, unified regulation to cannabis, protect our keiki and kupuna, create economic opportunities rooted in social equity, and honor our Hawaiian values of ****mālama**** and ****kuleana****. This comprehensive bill enacts the ****Hawaii Cannabis Law****, establishing the Hawaii Cannabis and Hemp Office (HCHO) within the Department of Commerce and Consumer Affairs to oversee all aspects of cannabis and hemp—from licensing and seed-to-sale tracking to testing, public health education, and social equity grants.

It maintains and expands our existing medical cannabis program (serving thousands responsibly with zero overdose deaths from medical use) while conditionally legalizing personal adult use for those 21 and older—possession up to 1 oz flower + 5g concentrates, home cultivation of up to 6 plants (combined household limit 10 plants), and storage up to 2 lbs in private residences—only upon federal descheduling, congressional delegation of authority, or a state constitutional amendment.

It decriminalizes minor offenses (e.g., up to 1 oz possession as a \$25 fine or community service), provides expungement pathways for past marijuana-related records, adds strong traffic safety measures (no impaired driving, open container prohibitions), and imposes a 14% retail tax on adult-use (4% on medical starting 2027) to fund operations, equity programs, health/safety initiatives, hemp grants, and counties. In our Hawaiian way, we know ****ua ola loko i ke aloha****—“love gives life within”—and that true progress comes from protecting our people while fostering opportunity.

Current fragmented rules under DOH and DOA create barriers, black markets thrive, and families suffer from outdated criminal penalties for a natural herb now federally Schedule III with recognized medical value. SB2421 fixes this with smart safeguards: mandatory testing for contaminants and potency, child-resistant opaque packaging with warnings, no sales to under-21, security requirements, limits on licenses (≤ 3 per class, ≤ 9 total per owner, with conversions for existing medical dispensaries), and robust social equity programs—fee waivers, grants for training and startups, prioritizing those impacted by past enforcement.

Revenues fund prevention education on high-potency risks, law enforcement training for harm reduction, and hemp industry support for our farmers. This is not reckless change; it is responsible evolution—reducing illicit markets that fund harder drugs like fentanyl and meth, generating tax revenue for our communities, expunging records to restore justice, and ensuring safe, legal access for medical patients (including reciprocity for out-of-state visitors) while prohibiting public consumption and protecting children. Hawaii can lead with aloha ‘āina and aloha kekahi i kekahi—“love one another”—by regulating cannabis like alcohol: safely, equitably, and for the benefit of all.

****In closing, with deepest aloha and a call to mālama our ‘ohana by modernizing our laws, I respectfully ask the Committee to pass SB2421 without delay. Key reasons include:**** - ****Unified regulation**** through the new Hawaii Cannabis and Hemp Office—streamlining oversight, transferring DOH/DOA functions, and creating accountability with annual reports on equity, health, safety, and economic impacts. -

****Conditional adult-use legalization**** (21+) with strict limits (1 oz possession, 6 plants home grow, 2 lbs storage)—activating only on federal or constitutional triggers, providing safe harbor for compliant adults while decriminalizing minor offenses and offering expungement for past convictions.

- ****Expanded medical protections****—maintaining access for debilitating conditions, adding out-of-state reciprocity (up to 60 days), and ensuring no discrimination in employment, housing, or custody based on use. - ****Social equity and community benefits****

—grants, fee waivers, and revenue splits (30% equity, 10% each for health/education/safety, 5% hemp/counties) to support impacted communities, prevent youth use, train law enforcement, and grow our local hemp economy.

- True embodiment of Hawaiian values: ****aloha****, ****‘ohana****, ****mālama****, and ****kōkua aku, kōkua mai****—reducing harm from prohibition, creating jobs and revenue, protecting public safety, and showing the world Hawaii leads with wisdom, justice, and heart.

Mahalo nui loa for your kuleana in this transformative work. I am available for any questions and urge you to pass SB2421—let us plant the seeds of progress with aloha in action.

Master Shelby "Pikachu" Billionaire, HRM Kingdom of The Hawaiian Islands, H.I. Ohana Unity Party, Chairman www.Ohanaunityparty.com Presidentbillionaire@gmail.com



LATE

Dedicated to safe, responsible, humane, and effective drug policies since 1993

TESTIMONY SUPPORTING SB 2421

TO: Chair San Buenaventura, Vice Chair McKelvey, and HHS Committee
Chair Keohokalole, Vice Chair Fukunaga, and CPN Committee

FROM: Nikos Leverenz, DPFH Board President

DATE: February 17, 2026 (9:45 A.M.)

Drug Policy Forum of Hawai'i (DPFH) **supports** SB 2421, which establishes the Hawaii Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant. The bill further provides that, contingent upon specific changes at the federal level or a state constitutional amendment, the personal adult use of cannabis will be legalized and other certain marijuana-related offenses will be decriminalized.

With the understanding that SB 1613 from 2025 would legalize adult-use cannabis without changes at the federal level or a state constitutional amendment, DPFH appreciates that the regulatory approach forwarded in this bill preserves access to medical cannabis while ensuring that a prospective adult-use market in this state will be characterized by public health, public education, consumer protection, and social equity. It is especially important to facilitate smaller locally owned farms and businesses, including a craft cannabis sector that is open to participation by legacy growers.

A recent report commissioned by the Hawai'i State Department of Health authored by Cannabis Public Policy Consulting, "[An Economic Analysis of the Current Medical and Future Adult-Use Cannabis Market](#)," indicates that by year five the gross receipts will exceed \$1 billion. With a 15% total tax rate, the tax receipts will exceed \$100 million each year.

Given the recent experience of New Mexico, which has a similar population to Hawai'i but a tourism sector that is less important to its overall economy, the estimates of this report are likely very conservative. In its first year of adult-use sales, New Mexico saw \$300 million in gross sales. By 2024, it saw \$76 million in state tax revenue.

An adult-use cannabis market will kickstart the state's agricultural sector and augment the state's tourism sector, which comprises just under one quarter of the state's GDP. The market size in the U.S. cannabis tourism sector is estimated to reach [\\$23.7 billion by 2030](#), according to an analysis by Grandview Research. Hawai'i is well-positioned to participate in that growing economic sector and the larger national cannabis market once federal law is adjusted to provide for interstate commerce.

In short, a regulated adult-use cannabis market is the safer, smarter, and more prosperous policy alternative to the current regime of prohibition, criminalization, a grey market where consumers access dried flower and manufactured products without critical information to inform their choices.

Since 1993 DPFH has advanced public discussions and policy changes around Hawai'i's drug policies, which continue to advance severe criminal penalties and extended periods of criminal legal supervision. DPFH also supports policy changes around substance use and behavioral health issues that are anchored in harm reduction, public health, and human rights. These changes include broader access to community-based behavioral health treatment, the repeal of cannabis prohibition in favor of rational regulation, reducing the severity of sentencing laws, prosecutorial practices, penological practices, and criminal legal supervision, and advancing other changes to laws and policies that reduce the impact of the criminal legal system on individuals and families from under-resourced communities.

Mahalo for the opportunity to provide testimony.



TESTIMONY IN STRONG SUPPORT OF SB2421, RELATING TO CANNABIS

SENATE COMMITTEES ON HEALTH AND HUMAN SERVICES & COMMERCE AND CONSUMER PROTECTION

February 17, 2026

To the Honorable Chairs and Members of the Committees:

The Democratic Party of Hawai'i **SUPPORTS** SB2421, RELATING TO CANNABIS. In 2016, delegates to the Democratic Party of Hawai'i's state convention passed a resolution (EDU 2016-05) supporting the legalization of adult-use recreational cannabis to generate revenue for public services, such as education.

It is time that Hawai'i takes a necessary and progressive step toward responsible cannabis regulation, economic growth, and social justice reform in Hawai'i.

The creation of the Hawai'i Cannabis and Hemp Office will ensure a centralized and well-structured regulatory framework, providing clear oversight on cultivation, sales, taxation, and consumer safety. By consolidating responsibilities from the Department of Health and the Department of Agriculture, this bill streamlines governance, reducing redundancy and improving efficiency.

Legalizing adult-use cannabis will generate significant tax revenue for the state, fostering economic opportunities for local businesses and farmers. Other states that have implemented similar measures, such as Colorado and California, have witnessed substantial financial benefits that contribute to education, healthcare, and infrastructure projects. Hawai'i can similarly benefit from a robust cannabis industry with appropriate regulations in place.

The decriminalization provisions of this bill are particularly important for addressing the disproportionate impact of cannabis-related arrests on marginalized communities. Criminalizing cannabis possession has historically burdened the judicial system and unjustly penalized individuals for nonviolent offenses. By decriminalizing certain marijuana-related drug offenses, this bill promotes a fairer and more equitable legal system while allowing law enforcement to focus on more pressing public safety concerns.

The bill also takes critical steps to ensure public safety, including new traffic offenses relating to cannabis consumption and possession. Establishing clear guidelines on responsible use, similar to

alcohol regulations, will help mitigate risks associated with impaired driving and underage consumption.

We must pass cannabis policies that are responsible, just, and equitable for our island home. This bill presents a balanced and forward-thinking approach to cannabis regulation in Hawai'i. It aligns with nationwide trends, prioritizes consumer safety, enhances economic development, and promotes social justice. We urge the committee to pass this bill and move Hawai'i toward a more equitable, responsible, and prosperous future.

Mahalo nui loa for the opportunity to testify in strong support of SB2421. Should you have any questions or require further information, please contact the Democratic Party of Hawai'i at legislation@hawaiidemocrats.org.

SB-2421

Submitted on: 2/14/2026 2:12:18 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cindy R Ajimine	Testifying for One Impact Hawaii	Oppose	Written Testimony Only

Comments:

Honorable Committee Chairs and Members:

I am a life-long, 3rd generation Hawaii resident & voting constituent. I am a former pot user & have witnessed & counseled people who started with marijuana & are now struggling as they have moved to harder drugs.

I STRONGLY OPPOSE passage of this bill in any form.

- 1. This bill would clearly prepare the infrastructure for legalization & would be the gateway to increased cannabis use, lead to legalization, and destroy our Hawai'i culture. I am aligned with the testimonies of the C&C Prosecutor's Office, Department of Health, & the Honolulu Police Dept. that were submitted in 2/25 that requested to NOT legalize marijuana. Passing this bill means you do not agree with the dangers inherent in future legalization & advice of the experts who deal first hand with drugs & crime.**
- 2. To use our taxes to create a new department/agency with multiple executive positions similar to major regulatory agencies when crime, homelessness, & drug use are already rampant & funding for our children's education is not being used well or monitored to ensure our keiki benefit is once again, a shameful waste of taxpayer dollars. Current state departments & initiatives are already not being adequately monitored.**

I beg you to hear the voice of the people who are more interested in future generations & our culture vs. the purported "money" to be made but will inevitably go to addiction, homeless, mental health issues, & other issues being faced by states who have legalized marijuana.



Akamai Cannabis Consulting

3615 Harding Ave, Suite 304
Honolulu, HI 96816

**TESTIMONY ON SENATE BILL 2421
RELATING TO CANNABIS**

Clifton Otto, MD

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair

Tuesday, February 17, 2026, 9:45 AM
Conference Room 229 & Videoconference

COMMENTS

A state program cannot be consistent with public health and safety if its users and producers must violate federal law to participate.

Until cannabis is federally de-scheduled, we are much better off sticking with medical use and protecting the intrastate medical use of cannabis in Hawaii, especially with federal rescheduling on the horizon.

Aloha.

February 16, 2026

RE: SB2421

Aloha Chairs, Vice Chairs, and Members of the Committees:

I respectfully submit testimony in opposition of SB2421 expressing serious concerns from a youth prevention and public health standpoint.

While framed as administrative restructuring, SB2421 builds the regulatory and tax infrastructure for eventual adult-use cannabis commercialization. Even if legalization is contingent on federal action or voter approval, establishing a Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs signals institutional commitment to market expansion.

From a prevention perspective, policy signals matter.

My primary concerns are as follows:

- **Normalization and Reduced Perception of Risk:** Creating permanent commercialization infrastructure further normalizes cannabis as a routine, state-managed product. Declining perceived risk is strongly associated with increased youth experimentation.
- **Commerce-Driven Framework:** Housing cannabis regulation within a commerce agency prioritizes market stability and industry growth. In other states, initial regulatory frameworks were followed by gradual expansion in product types, potency levels, and retail access.
- **Increased Youth Access Through Diversion:** Even with age restrictions, youth commonly obtain cannabis from older peers or adults who purchase legally. Expanding legal access increases household availability and diversion risk.
- **High-Potency Product Risks:** Modern high-THC products are associated with increased risk of cannabis use disorder and adverse mental health outcomes among adolescents. Infrastructure expansion without strong potency safeguards raises long-term public health concerns.

Until prevention systems are fully scaled, sustainably funded, and demonstrably effective, advancing SB2421 places expansion ahead of public health and youth protection.

For these reasons, I respectfully urge caution and recommend that this measure not advance in its current form.

Thank you for the opportunity to submit testimony.

Greg Tjapkes
Executive Director
Coalition for a Drug-Free Hawaii



LATE

Hawai'i Alliance for Cannabis Reform In Support of SB 2421

February 16, 2026

Aloha Chairs Keohokalole and San Buenaventura, Vice Chairs Fukunaga and McKelvey, and members of the Senate Commerce and Consumer Protection and Health and Human Services committees:

The Hawai'i Alliance for Cannabis Reform (HACR) works to end cannabis prohibition for adults 21 and older, and to regulate and tax the sale of cannabis in Hawai'i with a focus on reparative justice and inclusion for communities and individuals most impacted by criminalization.

Chair San Buenaventura's SB 2421 is a thoughtful and comprehensive bill to legalize cannabis for adults 21 and older, contingent on a trigger, such as federal legalization or a constitutional amendment legalizing adult-use of cannabis in Hawai'i. Its regulatory framework puts public health, public and consumer education, and equity at the forefront. We are grateful that the bill would preserve access to medical cannabis, while creating new opportunities for small, Hawai'i-based businesses, legacy growers, and social equity applicants.

Hawaii's cannabis laws needlessly ensnare hundreds of people — disproportionately Native Hawaiian people — in its criminal justice system every year.¹ Long after jail sentences are complete and fines are paid, cannabis arrest records derail lives, making it hard to get a job, education, and housing.² SB 2421 would also include state-initiated expungement to stop derailing lives for many prior cannabis records.

Like alcohol prohibition a century ago, cannabis prohibition has failed. It wastes taxpayer dollars, perpetuates racial disparities, puts consumers at risk, and locks people up for minor offenses in overcrowded jails and prisons. SB 2421 would grow the economy, increase freedom, and promote health and safety. It would also move sales above ground so consumers can buy a lab-tested, regulated product and workers don't face felonies.

¹ FBI Crime Data Explorer, 2024 data. (Showing 268 cannabis possession arrests 96 of which are Native Hawaiian or other Pacific Islander, or 36%, According to the census, 10.4% of residents identify as Native Hawaiian or other Pacific Islander alone.)

² See: Jamiles Lartey, "How Criminal Records Hold Back Millions of People," The Marshall Project, April 1, 2023.

If SB 2421 is enacted and a trigger results in its implementation, Hawai'i would generate between \$77 and \$151 million in new annual revenue once the market matures.³ This revenue can make a world of difference for your constituents, at a time when the social safety net is facing devastating cuts. Annual revenue of \$77 million — or far more — can dramatically change thousands of lives of the most vulnerable residents. It is enough to cover Hawaii's spending for 10,305 Medicaid enrollees at \$7,700 each.⁴ It could also cover SNAP benefits for 34,131 residents.

We would prefer cannabis legalization without waiting for a trigger. Voters support legalization, and the longer the delay, the more harm is done. However, we recognize there is another vehicle from 2025 (SB 1613) that would legalize cannabis without a trigger. We urge you to pass SB 2421, so that Hawai'i can have a framework for legalization in place to allow swift implementation when circumstances change.

Instead of driving cannabis underground, derailing lives, and pouring tax dollars down the drain, Hawai'i should regulate cannabis and invest in youth, impacted communities, and public health.

Mahalo for your time and public service,

The Hawai'i Alliance for Cannabis Reform
info@legalizehawaii.org
LegalizeHawaii.org

Member Organizations:

ACLU of Hawai'i ♦ Cannabis Society of Hawai'i ♦ Hawaiian Council
Doctors for Drug Policy Reform ♦ Drug Policy Forum of Hawai'i
Last Prisoner Project ♦ Marijuana Policy Project

³ An [economic analysis](#) prepared for the state Department of Health's Office of Medical Cannabis Control and Regulation projects \$46-90 million per month in adult-use sales, or \$552 million - \$1.14 billion per year. Multiplied by the 14% excise tax in SB 2421 results in a projection of \$77.3 to \$151.2 million in tax revenue.

⁴ <https://www.payingforseniorcare.com/medicare/hawaii> (The state spends an average of \$7,472 per Medicare enrollee,



The Institute for Human Services, Inc.
Ending the Cycle of Homelessness

LATE

TO: Honorable Senator Jarrett Keohokalole,
Chair, Senate Commerce and Consumer Protection Committee

Honorable Senator Joy A. San Buenaventura,
Chair, Senate Health and Human Services Committee

Honorable Senator Carol Fukunaga,
Vice Chair, Senate Commerce and Consumer Protection Committee

FROM: Connie Mitchell, Executive Director
IHS, The Institute for Human Services, Inc.

RE: SB 2421- DCCA; DOH; DOA; DoTax; Hawai'i Cannabis and Hemp Office;
Adult-Use Cannabis; Medical Cannabis; Hemp; Appropriations

DATE: February 16, 2026

POSITION: IHS strongly opposes SB 2421

At IHS, the Institute for Human Services, our work with the homeless population has brought us up close and personal experience with the dangers of drug use and addiction. Our experience and research show that legalizing recreational use of even marijuana would only worsen these problems, bringing increased health, social, and safety risks to our communities.

In establishing the Hawai'i Cannabis and Hemp Office, our concern is that too much emphasis is being put on commerce and not enough thought is being given to consumer protections. This favoring of business over individuals is extremely risky, especially when you consider that the products being sold are chemical substances with serious side-effects. We have already clearly documented our opposition to the legalization of recreational cannabis, but if it does happen we view it as paramount that every possible protection for consumers and the community be put in place.

Mahalo for the opportunity to testify.

Distinguished Chairs and Committee Members,

My name is **Laverne Moore**, and I am writing to you today as a retired educator with **54 years of experience** dedicated to the students of Hawai'i. Having spent over half a century in the classroom, I have seen generations of children face a myriad of obstacles. I am submitting this testimony to express my **firm and unwavering opposition** to [SB 2421](#).

My opposition is rooted in the deep concern that legalizing adult-use cannabis and decriminalizing marijuana-related offenses will fundamentally undermine the safety and developmental health of our youth.

Observations from 54 Years in Education

- **The Message of "Legal" vs. "Safe":** In my five decades of teaching, I have learned that students are highly sensitive to the signals sent by adult society. Legalization effectively "brands" cannabis as safe. This erodes the preventative education we provide in schools, making it significantly harder for teachers and parents to discourage use during the critical years of brain development.
- **The Impact on Learning:** I have seen firsthand how substance use can dim the brightness of a promising student. Cannabis use affects memory, focus, and the drive to succeed. At a time when our educational system is working tirelessly to close achievement gaps, we should not be supporting legislation that introduces more distractions and cognitive hurdles for our keiki.
- **Increased Accessibility:** While [SB 2421](#) aims to regulate the market through a new **Hawai'i Cannabis and Hemp Office**, the reality on the ground is that increased commercial availability always trickles down to our youth. More "adult-use" products in homes and communities inevitably mean more access for minors.

Protecting Our Future

The proposal to legalize cannabis may promise new tax revenue, but as an educator who has seen the long-term struggles of students grappling with substance issues, I can tell you that the social cost is far higher. Our priority must remain the protection and cultivation of our children's potential. We need more resources for mental health and educational support—not the introduction of a new legal drug industry.

I spent 54 years advocating for the best interests of Hawai'i's students. In their interest, I urge you to **vote NO** on [SB 2421](#).

Mahalo for your time and for considering the perspective of a lifelong educator.

Sincerely, **Laverne Moore** Retired Educator



HAWAII IMPACT REPORT



Prepared by:

**SAM | SMART
APPROACHES
TO MARIJUANA**

20
26



info@learnaboutsam.org



www.learnaboutsam.org

HAWAII IMPACT REPORT

Outcomes from States That Legalized Recreational Marijuana

INTRODUCTION:

This report is for people who live in Hawai'i.

The debate over whether to legalize recreational marijuana is actively underway, and decisions made this year carry long-term, life-altering consequences for our communities. While these discussions continue at the Hawai'i State Capitol, most residents are not paying close attention, and many do not yet have access to the data needed to understand what legalization has meant elsewhere.

For that reason, **Smart Approaches to Marijuana (SAM)** was asked to compile data relevant to Hawai'i to assess whether to legalize recreational marijuana. Smart Approaches to Marijuana (SAM) is a nonpartisan nonprofit founded in 2013 by former Congressman Patrick J. Kennedy (D-RI), senior editor of The Atlantic, and speechwriter for President George W. Bush, David Frum, and Senior Obama White House Drug Policy Advisor Dr. Kevin Sabet. SAM advocates for a health-first approach to marijuana policy, aiming to reduce use and prevent the commercialization of a new addiction-for-profit industry. Parts of this report are drawn from the 2026-2027 SAM Impact Report, which provides a detailed analysis of the effects of marijuana legalization nationwide.

The data show the consistent impacts from states that have legalized marijuana. In states that legalized, **illicit markets surged, organized criminal networks and cartels moved in, youth and families were harmed, and land and water were damaged.**

Hawai'i is small. Families live close together. 'Ohana, community, and the environment are tightly connected. When something goes wrong here, it affects everyone.

What this report is asking you to do:

- Read the facts.
- Share them with people you care about.
- And tell your legislators to vote **NO** on legalizing recreational marijuana in Hawai'i.

IMPACTS:

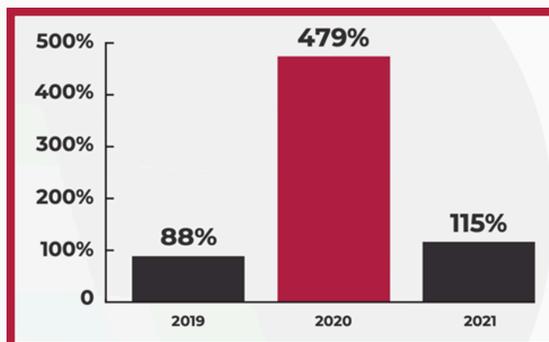
IMMEDIATE HARM TO YOUTH:

Legalization has increased overdose rates and use among youth.

>> OVERDOSE RATES IN ADOLESCENTS:

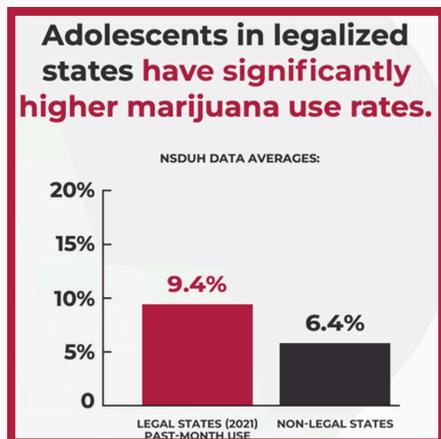
When comparing the overdose rates of Hawaii to states like California, Oregon, Washington, and Alaska, which have all legalized marijuana and experimented with some form of drug decriminalization, Hawaii is by far the lowest.

Evidence indicates that marijuana legalization is associated with rises in overdose deaths. States with legal marijuana saw the greatest [increase](#) in overdose deaths and outpaced non-legal states by 88% in 2019, 479% in 2020, and 115% (1).



>> INCREASED YOUTH MARIJUANA USE:

According to the National Survey on Drug Use and Health ([NDSUH](#)) data, adolescent marijuana use rates are notably higher in states where marijuana is legalized (2).



A longitudinal [study](#) of marijuana use of over 3,000 adolescents (7th and 8th graders) and almost 2,000 college students at Hawaii's public schools was conducted. While marijuana is illegal unless used for medicinal purposes, the study indicated one to five percent of the students used marijuana daily/weekly or for experimental use. It also found that the daily/weekly users had low academic involvement, greater sensation seeking/risk-taking activity, and higher cannabis use disorder (3).

>> TODAY'S HIGH-POTENCY THC IS A DIFFERENT DRUG:

Marijuana sold in stores today is much more potent, addictive, and harmful than the marijuana of the past.

The 1970s marijuana contained on average 1-3% THC. Today, that number is around **16%** for flower products, and much higher for concentrates, which have recently entered the market (4). Products such as dabs (concentrated THC) can contain up to 99%. High-potency marijuana products have become increasingly popular, which is great for Big Marijuana and terrible for Americans.

The increase in high-potency marijuana has led to more mental health issues. For example, one in three people who use marijuana develops **Cannabis Use Disorder** (CUD) (5). Users who consume high-potency marijuana are **four times** more likely to develop psychosis (6).

CRIME AND MARKET REALITY:

Legalization affects crime, expands black markets, and attracts foreign drug cartels.

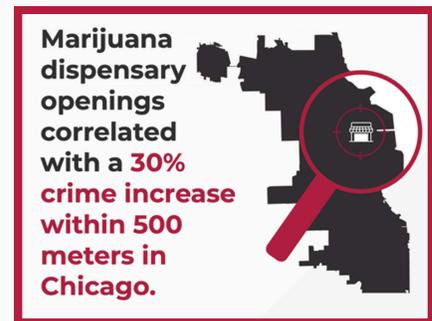
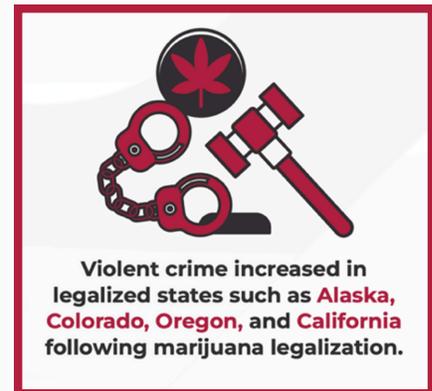
>> CRIME:

Marijuana legalization and the subsequent commercialization that follows, have dramatic impacts on violent crime rates. California, Oregon, Washington, and Alaska all experienced increases in violent crime following marijuana legalization.

Because Colorado was one of the first states to legalize recreational marijuana, there is a wealth of data from the state highlighting many issues related to its legalization.

- Denver neighborhoods near dispensaries have **85 more property crimes** per year than those without (7).
- Colorado's crime rate in 2016 increased **11 times faster** than the 30 largest cities in the nation since legalization (8).
- A University of Colorado **study** found crime rates up to 1,452% higher in neighborhoods with at least one marijuana dispensary (9).

Additionally, cities such as Chicago have also seen a rise in **crime** in neighborhoods with retail marijuana dispensaries (10).



>> BLACK MARKET EXPANSION:

Arguments have been made that federal laws that make the drug illegal, create a crime crisis around it and the sooner state governments legalize the drug, the sooner the black markets—and the violence and disorder associated with them—will disappear.

However, the evidence to date shows that marijuana legalization **does not eliminate illegal markets**. In fact, it often worsens them, fueling a thriving underground economy that runs parallel to, and sometimes within, the legal system. For example, California is the largest legal marijuana market in the nation, and yet, **illegal grows outnumber legal ones by as much as 10:1** (11).

Conversely, 85–90% of California-grown marijuana is exported out of state, including states where marijuana is not legal. In Oregon, authorities seized **1,330,766** illicit marijuana plants in 2021, an increase of 17.3 times from 2020 and an increase of 253 times from 2018 (12). Illegal actors do not recede when marijuana is legalized; instead, they innovate and exploit the regulatory loopholes and weak enforcement.

>> INVITES FOREIGN DRUG CARTELS:

Foreign drug cartels are a dominant force in the U.S. illicit marijuana market, and marijuana legalization makes it easier for them to operate.

Legalization is giving [Mexican and Chinese cartels](#) an avenue to operate legally in America.

Below are experiences of states with legalized marijuana (13):

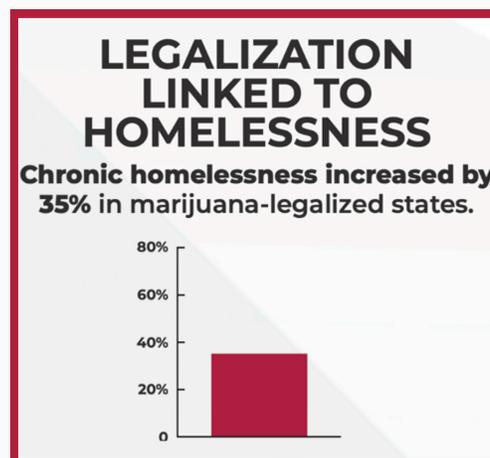
- [Wall Street Journal](#): “Following the legalization of marijuana in many states, Chinese-run marijuana farms have emerged across the U.S. Some are **run by investor groups** with a commercial growing license” (14).
- [Drug Enforcement Administration](#): “Chinese and other Asian drug trafficking organizations **collect millions of dollars in illicit drug proceeds** from cultivating and trafficking marijuana and the money is used to fund other criminal activities, to include trafficking in other drugs, money laundering, and human trafficking” (15).
- Over [3,000](#) illegal marijuana grows in Oklahoma are tied to foreign mafias; **80% linked to Chinese criminal groups** (16). Four human trafficking victims were [killed in an execution-style murder](#) at a Chinese marijuana farm in 2022 (17).
- Maine’s top marijuana regulator [admitted](#) that the state is giving licenses to foreign criminal groups (18). These Chinese marijuana farms are worth an estimated [\\$4.37 billion](#) (19).
- Eventually, the Chinese marijuana cartels caught the attention of lawmakers. In 2024, a **bipartisan group of federal lawmakers sent a letter urging the Department of Justice to address the growing presence of Chinese-owned marijuana farms.** (20)
- The growing concern for Hawai’i is the increase in foreign cartels establishing their presence in the state. The **Chinese Organized Crime Syndicate already has a footprint in Hawaii** in the form of human trafficking, money laundering, and illicit drug trafficking. Legalization will widen the door of opportunity to these organizations.

COMMUNITY BREAKDOWN:

The connection between legalization and homelessness.

>> CHRONIC HOMELESSNESS INCREASES:

Marijuana legalization has also been found to impact homelessness rates. One [study](#) found that chronic homelessness increased by 35% in states with legalized marijuana (21).

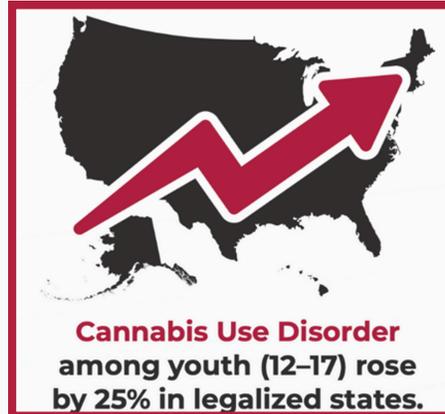


HEALTH IMPACTS:

The effects of legalization on addiction and mental and physical health.

>> CANNABIS USE DISORDER:

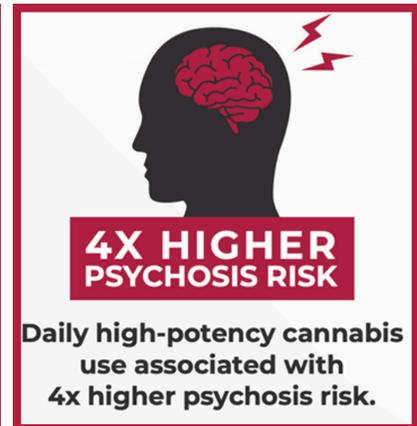
Data show that Cannabis Use Disorder (CUD), which is the scientific verbiage for marijuana addiction, increases at a [25%](#) increased rate in states that have legalized marijuana, compared to states that have not (22).



>> INCREASE IN PSYCHOSIS:

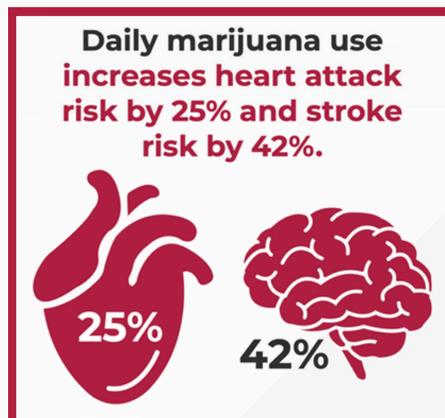
High-potency marijuana users are [four](#) times more likely to develop psychosis (23). [Data](#) shows that states with legalized marijuana have experienced a **sharp increase in hospitalizations** due to marijuana-induced psychosis (24).

Another [study](#) linked marijuana legalization to a **rise in youth hospital visits for psychosis** (25).



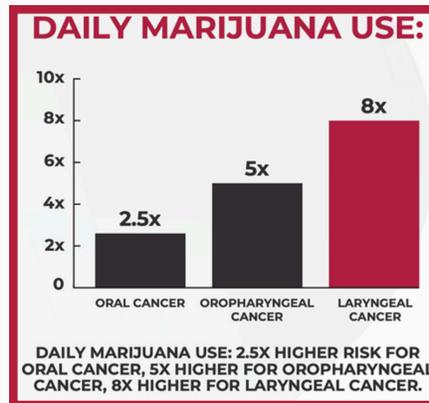
>> CARDIOVASCULAR RISK:

A 2024 [study](#) published by the Journal of the American Heart Association found that daily marijuana use **raises the risk of heart attack by 25% and stroke by 42%** (26).



>> CANCER RISK:

A [study](#) published in The Journal of the American Medical Association Otolaryngology–Head & Neck Surgery found that daily marijuana use is linked to a 2.5 times higher risk of oral cancer, a 5 times higher risk of oropharyngeal cancer, and an 8 times higher risk of laryngeal cancer (27).



ENVIRONMENTAL IMPACTS:

Marijuana cultivation and illegal grows impact land, water and ecosystems.

Discussions about legalizing marijuana often overlook the environmental threat the industry presents. Due to limited data, it's hard to gauge marijuana's full impact. Still, early signs suggest harmful effects. [Research](#) shows that **indoor marijuana grows emit as much CO2 as 3.3 million cars on the road** (28). A 2021 [report](#) from the American Chemical Society identified six impact pathways from cannabis cultivation: land-cover change, water use, pesticide use, energy use, air pollution, and water pollution (29). It is important to note that **the environment is at risk of pollution from both "legal" and illegal marijuana operations. Regulatory standards are lacking, and enforcement is weak.**

A 2015 [study](#) on the impact of marijuana cultivation on watersheds in California found that individual marijuana plants require 22.7 liters of water daily (30). Production facilities range in daily water demand from 523,144 liters to 724,016 liters. A 2021 [article](#) from the Brookings Institution also found that: "The scale of the problem is staggering: **At the end of 2020, illegal cannabis grows sucked up between 11.4 million and 36.3 million liters of water daily. The widespread illegal cultivation contributes to water depletion** and conflict over water and has other bad environmental consequences" (31).

As marijuana legalization expands, so does the illegal market and the environmental threat it creates. However, illegal marijuana isn't the only problem. Marijuana cultivation requires and uses a large amount of power. **Indoor marijuana grows, which account for 80% of all cultivation, are very inefficient** (32). In fact, indoor cultivation consumes 709 kBtu/sq ft, while a typical home or office uses only 40–50 kBtu/sq ft. In Massachusetts, **indoor marijuana cultivation accounts for 10% of the state's industrial electricity use.** Because it's so energy-intensive, marijuana cultivation results in emissions comparable to those from coal mining in Colorado (33, 34).

Illicit grow operations and extraction labs have also **caused wildfires**, such as the 125,000-acre Dolan Fire in Los Padres National Park in California in 2020, which killed endangered condors, destroyed homes and a fire station, seriously injured firefighters, and cost nearly \$63 million to contain (35, 36).

Legalization has thus far caused significant environmental damage, and as the industry continues to grow, the full consequences may not be understood in time to prevent worse outcomes.

REVENUE VS COST:

Marijuana tax revenues outweighed by costs

Regulated marijuana has not become the revenue cash cow that industry advocates promised. Despite having some of the highest marijuana taxes in the country, **California has still not experienced a boom in tax revenue.** The [FY21–22](#) marijuana tax revenue made up only 0.49% of the state's entire budget (37).

The [U.S. Census Bureau](#) found that in only one state, marijuana excise taxes accounted for more than 1.5% of the state's total tax revenue in the last quarter of 2024 (38).

Against these estimates, states also need to weigh the associated costs. Most notably, a [study](#) in **Colorado found that every \$1 in tax revenue from marijuana was associated with \$4.50 in costs**, ranging from additional health care expenditures to more students dropping out of school (39).

In [2022](#), California reduced several marijuana-related taxes in an attempt to save “failing” marijuana businesses (40). In [reality](#), many state-legal growers had already abandoned the bureaucracy and gone illegal (41).

Marijuana license holders [complain](#) that “legal” states are overly regulated and that taxes on the drug are too high (42). They argue that regulation and taxes are the main reasons black markets persist.

However, in California, this claim is flawed for several reasons. The regulatory and compliance systems in place in “legal” states were established with little foresight. State compliance officials are often caught off guard as various regulatory and compliance issues come to light. The Oregon Liquor Control Commission ([OLCC](#)) noted in a 2018 report that: “due to the legally required rapid implementation of the recreational program, OLCC has not been able to implement robust compliance monitoring and enforcement controls and processes for the recreational marijuana program” (43).

DECLINING PUBLIC SUPPORT:

Waning public support after states experience the impacts of legalization.

Hawai'i continues to watch the national momentum for marijuana legalization as support has been decreasing since it peaked a few years ago and declined considerably in more recent years.

One Gallup [Poll](#) found that overall support for marijuana legalization decreased by nearly 9% since its peak in 2023. This same poll showed a 27.3% drop in support among Republicans and an 8.4% drop among Independents (44).

A 2024 Gallup [Poll](#) also revealed that Americans' perceptions of marijuana's impact on society and users have worsened significantly. The poll found that most Americans now view marijuana's influence on society and users as negative (45).

In 2022, 49% of Americans believed that marijuana had a positive effect on society. By 2024, that number declined to 41%. This same poll also showed that 54% of Americans think marijuana has a negative effect on society.

In 2022, 53% of respondents believed marijuana had a positive effect on users. **By 2024, that number dropped to 43%**. The decrease in support differed among various groups, with 13% among non-religious groups and 12% among Independents, followed by Democrats (9%) and young adults (7%).

The decline is not just at the polls. **States like Massachusetts, Maine, and Arizona have begun the process of overturning marijuana legalization through ballot initiatives.**

The campaign in Massachusetts recently announced it had collected over 75,000 signatures needed to qualify for the 2026 ballot.

FINAL WORD AND CALL TO ACTION:

If you live in Hawai'i, **share this report with your state legislators and urge them to vote NO on recreational marijuana legalization.**

The data presented document **what follows when states have legalized marijuana use**: illicit markets surge, organized criminal networks and cartels move in, youth addiction rises and families are harmed; and environmental damage grows uncontrolled with limited regulatory control and enforcement. In states like Colorado, marijuana did not remain limited or medical use. It became a fully commercialized industry, and in some areas there were more marijuana dispensaries than Starbucks and McDonald's **combined**. In Colorado and other states, tax revenues have remained at a small fraction of total budgets.

Hawai'i is already struggling to manage existing challenges in healthcare, education, public safety, housing, homelessness and environmental protection, and those pressures are growing by the day. In legalized states, the revenues from marijuana are minimal compared to the increased challenges and added costs. Hawai'i cannot afford another addiction-for-profit industry.

Share this report. Call or email your legislator. Urge them to vote NO to legalizing recreational use marijuana.

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Marcus R. Oshiro
Wahiawa, Hawaii

February 15, 2026

Testimony in Opposition to SB 2421

1) Executive summary of objections

- **Overbroad institutional design.** The bill creates a powerful, independent Hawaii Cannabis and Hemp Office with sweeping regulatory, investigatory, and prosecutorial-facing powers while transferring personnel and assets from multiple agencies. This centralization risks duplication, mission creep, and regulatory capture without clear accountability or cost controls.
- **Premature legalization framework.** The bill conditions adult-use legalization on unspecified federal changes or a state constitutional amendment, yet it simultaneously builds a full regulatory apparatus and tax structure that assume near-term implementation. That mismatch creates legal and fiscal uncertainty.
- **Unproven assumptions about benefits.** The bill repeatedly asserts that legalization will reduce crime, spur economic development, and generate substantial tax revenue without providing Hawaii-specific economic modeling or public-health impact studies to support those claims.

2) Key policy flaws and risks

- **Institutional and fiscal risk.**
- The office is granted broad rulemaking, enforcement, and investigatory powers and may adopt interim rules exempt from standard administrative review until 2032. That long interim period concentrates discretion and delays legislative oversight.
- The bill establishes a new special fund and multiple subaccounts (social equity, public health, public safety, hemp grants) but lacks conservative revenue projections or contingency plans if projected cannabis tax receipts fall short. This exposes the State to budgetary shortfalls and program underfunding.
- **Regulatory complexity and enforcement burden.**
- The bill mandates seed-to-sale tracking, independent lab licensing, separate medical and adult-use streams, and extensive inspection authority. These requirements are costly to implement and maintain, and the bill does not include a realistic timeline or cost estimate for statewide compliance. Keep in mind that the illegal or unregulated does not carry any of these regulatory costs and that enables it to offer its products are lower costs to consumers.
- **Public health and youth protection gaps.**
- Although the bill emphasizes public health, it relies on broad rulemaking authority rather than concrete, evidence-based limits (for example, clear potency caps, standardized dosing for edibles, or mandatory

child-resistant packaging standards with enforceable metrics). The bill’s language leaves critical details to future rulemaking, delaying protections that should be statutory.

- **Market and social equity design problems.**

The social equity provisions are well-intentioned but underspecified. The bill creates grant subaccounts and eligibility criteria but lacks transparent, enforceable mechanisms to prevent concentration of licenses among well-capitalized entrants or to ensure legacy operators can transition without being priced out. Good intentions are praiseworthy, but carefully examine how these policies helped black, brown, and minority communities in Mainland States. At best mixed reviews and in some cases harmful.

- **Hemp and novel cannabinoid regulation is ambiguous.**

The bill attempts to regulate hemp, hemp extracts, and “artificially derived” or “synthetic” cannabinoids but uses definitions that will be difficult to enforce and may unintentionally criminalize legitimate industrial or research activities. The bill also cites isolated incidents of illness from hemp-derived products as justification for sweeping rules without presenting systematic evidence.

3) Critique of factual errors, unsupported suppositions, and weak assumptions

- **Assumption: Legalization reliably reduces crime:** The bill asserts crime reduction as a benefit but cites no Hawaii-specific data or peer-reviewed studies showing causation rather than correlation. Outcomes in other states have demonstrated repeatedly, that legalization of marijuana leads to more illegal grows, marijuana sales, access to minors, and hence, criminal activity. The measure’s assumptions do not square with the reality of early adoption states like Colorado, Oregon, Washington, and California.
- **Assumption: Tax revenue will cover program costs.** The bill establishes multiple grant programs and administrative positions funded by cannabis taxes and fees. It does not include conservative revenue scenarios, nor does it specify fallback funding if revenues underperform. The former Tax Director of the State of Hawaii Tax Department and chairman of the Tax Working Group, Issac Choy, encouraged me to review and carefully consider his members’ discussions, findings, and recommendations. So, I too encourage the legislature to likewise follow his friendly suggestion.

That portion of the *Report of the Dual Use Cannabis Task Force To The Thirty Fourth Legislature State of Hawaii, 2023 (Act 169, SB 1139, HD1, SD2, CD1 (2021))*, is set forth below.

“A. Tax i. **Introduction** The potential tax revenue from legalization of adult-use cannabis is a recurring discussion among state regulators and the cannabis industry throughout the nation. The Task Force sought to investigate this issue to ensure that regulatory oversight and social equity programs can be adequately funded, while keeping the burden on cannabis businesses and costs to the consumer as low as practicable.

ii. Investigation

The Tax Working Group was established at the meeting on May 31, 2022, at 2:11:12.4 The scope of the Working Group’s investigation was to “identify and make recommendations on the types of tax

structures for medical cannabis and adult-use cannabis programs that would provide benefits to Hawaii, including identification of tax rates for each program.” Members comprised: Isaac Choy (Chair), Ellen Ching, Randy Gonce, and Garrett Halydier. The Working Group requested that Seth Colby, Ph.D., Tax Research and Planning Officer at the Department of Taxation, conduct its research and draft a report. Dr. Colby was selected for his economic expertise and professional experience assessing and forecasting market dynamics. Dr. Colby interviewed the members of the Working Group to understand the principal issues of concern that should be addressed in the report. He then developed and adhered to the following methodology to produce the report:

- Dr. Colby conducted a comprehensive review of the economic literature regarding recreational cannabis markets, taxation, market structure, and regulation. He also developed a database of different regulatory approaches used by recreational states and their associated outcomes.
- . Colby interviewed key players in Hawaii’s medical cannabis market as well as officials involved in the regulation of cannabis in recreational states. This included several site visits to production facilities on different islands.
- Using information from the academic literature and data gathered from the interviews, Dr. Colby developed dynamic economic models that estimated the size of the market, identified the key variables that influenced market outcomes, and the effects of different tax regimes.
- Dr. Colby composed a report that incorporated the key findings of the investigation and the results of the economic models.

Dr. Colby delivered a draft of the report for review by members of the Tax Working Group on July 29, 2022. Member comments were incorporated into the report, and the final report was voted on and accepted in the August 15, 2022, meeting.

The Tax Working Group reported its investigation findings, summarized below, on August 29, 2022, at 1:02:58.5

Tax Working Group Findings:

The 2021 Hawaii cannabis market is estimated to be worth \$240 million, of which \$50 million derives from the medical cannabis industry and the remaining are in illegal sales. The cannabis market operates in a gray zone due to the federal government’s 2013 decision to reduce enforcement efforts, and the State’s legalization of medical cannabis sales in 2015 and decriminalization of cannabis possession in 2020. While the non-medical cannabis market is illegal, it is tolerated. Illegal cannabis sold in Hawaii is often produced outside of the State, mostly from California which exports cheap and relatively high-quality products.

Gray market producers do not have to comply with the regulations and taxes imposed on licensed medical cannabis dispensaries. As a result, the price of one ounce of cannabis flower at a medical dispensary is about 40-100% more expensive than its equivalent in the gray market. This two-tiered market, where the prices in the legal market are much higher than in the gray market incentivizes users, even those with a medical card, to make their purchase in the illicit gray market. Although the sales at medical cannabis dispensaries have steadily grown from \$18.2 million in 2018 to \$50 million in 2022, the percentage of card-holding patients that use dispensaries to make purchases has declined. In January 2021, unique patient encounters only represented one-third of total patients.

Hawaii's current law allows cannabis cooperatives to cultivate large quantities of cannabis outside of the licensed dispensary system. Since these entities are not subject to the costly regulations on production, tracking, manufacturing, laboratory testing, and sale of cannabis, their prices are usually significantly less than the dispensaries.

If the large price differential between the gray market and the legal market continues, the gray market is expected to flourish. Tax revenues are a function of legal market operations. If the State legalizes cannabis for adult-use, regulation and market structure should promote conditions that favor a legal price that can compete with gray market prices. Current laws restrict the operational scale of dispensaries, limiting the number of production centers, plant counts, and retail locations. SB 2260 passed in 2022 relaxes production constraints but may be insufficient to support adult-use cannabis. It is usually better for producers who are knowledgeable about the production process, rather than lawmakers, to establish the level of scale that can bring down costs while being profitable. The mandate for vertical integration (requiring each licensee to cultivate, process, manufacture, and dispense) also drives up costs and concentrates industry risks.

The current legal medical market size is small given that dispensaries are limited to medical cannabis card holders and can only engage in retail in the county in which they are licensed. Current legislation creates segmented markets for each county, which limits competition and increases the chances of market collusion. Allowing businesses to operate on any island and increasing the number of licenses for producers, manufacturer and retailers can increase the market size and competition. The heavy regulatory burden, although essential for protecting consumers, can be reevaluated given that this creates significant hurdles for small businesses.

Lack of access to banking services and financing due to cannabis classification under Federal law imposes significant cost on businesses. Some states have chartered credit unions to service their cannabis industry. Federal corporate taxes prevent cannabis businesses from deducting normal business expenses, increasing their tax burden. Furthermore, states that have legalized recreational cannabis apply a special excise tax which gray market sellers do not pay. While the corporate tax code must be addressed at the federal level, Hawaii can adopt a taxation regime which is adequately high to produce revenues for social priorities, but low enough to allow legal cannabis to compete with the gray market.

For this investigation, economic models were developed to identify tax rates which would enable a competitive legal market and to estimate potential tax revenues. Results from the cost-production model, which estimates prices for differing levels of cost of production, mark-ups, and tax rates, suggest that legal businesses in Hawaii could effectively compete with the gray market, if the State elects to gradually phase-in the excise tax. As the industry matures and the cost of production comes down, competitive legal prices could be maintained with an increased excise tax. This cost-production structure reflects other states' experiences. This tiered strategy would encourage the development of a legal market that outcompetes the gray market sales while providing ample tax revenues over the long-term.

A mature cannabis market which includes legal and illegal sales is estimated to be \$354 million. This would imply legal sales worth \$172-\$273 million and tax revenues of \$34-\$53 million in a year of a mature market (assuming sales prices of \$225-\$275 per ounce). Other states' experience suggest that it takes

about five years for a cannabis market to fully mature, so tax revenues in the initial years following legalization of adult-use cannabis are expected to be lower. However, it is important to note that the dynamics of an adult-use market in Hawaii are unknown, making impossible to predict prevailing price, and tax revenue with certainty.

With respect to tax treatment of medical use cannabis, the most important considerations are reliable legal access and affordability. A functioning adult-use market will provide medical cannabis patients with reliable access at a considerably lower cost than currently exists in the medical dispensary market. After legalization of adult-use, prices would be expected to drop more than 15%, offsetting the suggested excise tax of 15% of a mature market. Medical cannabis is not a prescription drug and therefore not eligible for the GET exemption on prescription drugs. To ensure affordability, medical patients should not be subjected to the cannabis excise tax until the prevailing price of adult-use cannabis declines by more than the size of the excise tax. If the average price decline is greater than the excise tax, the same tax treatment should be applied for medical cannabis card holders as for adult-use to prevent use of a tax loophole to avoid paying the excise tax.

The Task Force discussed the Tax Working Group report on October 3, 2022, at 1:10:50.7 The Working Group highlighted three conclusions from the report, that 1) regulating cannabis after legalization will be expensive, 2) there will not be a significant net tax gain, and 3) substantial elimination of the illegal market would have to be achieved to realize any profit.

There were dissenting opinions among the Task Force on the cost-benefits of legalization. Comments were made on potential long-term net gains in a mature market and the public health and social gains of livelihoods no longer being harmed by criminalization. Members expressed the need to consider how cannabis law enforcement has disproportionately penalized Native Hawaiians and other communities of color and resulting costs to the probation system. At the same time, concerns were raised regarding public health and safety consequences. The need to substantiate trends with data, rather than anecdotal information, was identified.

Members sought to clarify the level of revenue that legalization could generate for the State. Based on gross earnings of the 4.5% GET alone, the Working Group estimated \$2 million in the first 2 years, \$5 million in years 3 and 4, and \$10 million at year 5 and beyond. A visual graph was presented showing tax revenue earned from the medical cannabis industry, which showed tax revenue collections worth \$2.6 million in 2021. As an indication of the costs for enforcement, the Working Group noted that the Department of Taxation spent \$30 million to achieve a 98% tax compliance in the State and suggested that the compliance cost of effectively regulating cannabis would be high as well.

Opinions also differed on the extent to which cannabis tourism would contribute to tax revenues. While some members thought that tourism would drive revenue higher, the Working Group opined that tourism might not generate high revenue given the tourist demographics traveling to Hawaii.

The need to regulate the illegal market was underscored. Estimating the market size is challenging given the difficulty of quantifying the illegal market, as such the estimate provided in the report ranging from \$279-\$429 million and averaging \$354 million, may be a conservative estimate. Revenue could be higher if prices are close to illegal market prices and buyers move from the illegal to legal market sources. Lower prices can be achieved by allowing for large farms, which can produce on larger economies of scale. Different scenarios could be generated to examine different levels of revenue increase based on sales on the illegal market and price changes.

The Task Force voted to approve all five of the Tax Working Group recommendations on October 31, 2022, at 2:54:20.

iii. Tax Recommendations

All five of the Tax Working Group's recommendations were voted on as a group with the following votes obtained: 9 Ayes, 0 Noes, and 1 With Reservations.

Task Force Tax Recommendations:

1. Hawaii lawmakers should pursue a legal and regulatory framework that is not subject to burdensome levels of regulation and taxation and promotes the development of a mature well-functioning market that can effectively compete with the gray market.

2. An adult-use cannabis excise tax should be levied on the final sale of cannabis products. The cannabis excise tax should be in addition to the GET of 4.5%, start out low in the initial phases of the market and increase as the market matures to a rate of 15%. The proposed excise tax rate is 5.0% for the first two years that the adult-use market is operational, 10% for years three and four, and 15% in the fifth year of operation and beyond. The State should receive 80% of cannabis excise tax revenues and the counties should receive 20% allocated to the county where the sale is made.

3. Parity in taxation between the medical and adult-use markets should occur only if the price of adult-use cannabis has experienced a percent decline from the price in the medical market prior to recreational legalization that is larger than the cannabis excise tax. If this trigger is not met, medical use patients should not be subject to the cannabis excise tax.

4. The number of licenses issued to producers and manufacturers should be limited and the regulatory agency should have discretion over the number of licenses issued to allow it to respond to market developments. This will encourage smaller players currently operating in the gray market to start operating legally; minimize the price differential between the legal market and the gray market; and promote competitiveness within the industry.

5. Legislation should provide the legal framework for the cannabis market and the regulatory agency should be given powers to develop, modify, and enforce regulations that are more technical in nature. To increase accountability and transparency, major decisions by the regulatory agency should be reviewed by an advisory board whose members include: 2 members from the cannabis industry; 1 member from the Department of Health; 1 member from the Department of Public Safety; and 3 members appointed by the Governor with at least one board member representing an island that is not Oahu.

Reservations of Member Gorman may be found in section V.A.iv. iv. **Objections and Reservations**
[Teri Gorman]

Prior to establishing any excise or sales tax rates for adult-use cannabis products, legislators and taxation professionals must understand and accommodate the "risk premium" inherent in a longstanding underground economy. If the state tries to capture the risk premium through over-taxation of the legal market, it will incentivize growth in the underground economy while retarding the regulated economy. Other states, including California and Oregon, have had this experience. Prior to establishing tax rates and taxation policy, DOTAX and state legislators should study these research papers:

The Pros and Cons of Cannabis Taxes, by Richard Auxier and Nikhita Airi, published by the Tax Policy Center of the Urban Institute & Brookings Institution, September 28, 2022

The Federal Shake-Up of America's Marijuana Taxes, by Pat Oglesby, published by SSRN, April 4, 2022

- **Factual claim: “At least one documented case of illness in children” from hemp products.** The bill references a single documented incident to justify broad regulation of hemp products. Policy should be driven by systematic surveillance data and risk assessments rather than isolated anecdotes. If the Legislature will rely on such incidents, it should require the Department of Health to publish the underlying reports and risk analyses before enacting sweeping rules.
- **Assumption: A single statewide office is the best governance model.** The bill presumes a centralized office will be more effective than strengthening existing agencies. It does not compare alternatives such as interagency task forces, phased authority transfers, or pilot regional regulatory models that could reduce startup risk and preserve institutional expertise.

4) Unintended consequences likely if enacted as written:

- **Regulatory capture and market consolidation.** Extensive discretionary rulemaking and long interim rule periods create opportunities for well-funded industry actors to shape regulations to their advantage.
- **Public health lag.** Leaving critical health protections to future rulemaking risks a period in which commercial products enter the market before robust safeguards are in place.
- **Administrative and enforcement overload.** The office's investigatory and inspection mandates, combined with county law enforcement roles, could produce jurisdictional conflicts and duplicative costs.

Conclusion:

SB 2421 raises important policy questions about public health, equity, and economic development, but as drafted it relies on unsupported optimistic assumptions, grants broad discretionary power to rich and powerful businesses without sufficient guardrails, and lacks the fiscal and empirical foundation necessary for a responsible adoption of this major and irreversible policy shift.

Respectfully, suggest that you either amend to address concerns raised above, or move along “as is” and hopefully pick up amendments in next committees with prior concurrence.

Another, pragmatic and political option is to defer until next session since House Speaker Nadine Nakamura has already publicly declared that marijuana/cannabis bills are DOA in the House for the 2026 Session. Better to save limited political capital for measures and monies that really are priorities.

I respectfully submit. And, remain to answer any questions and provide any assistance, at your beck and call.

LATE

SB-2421

Submitted on: 2/17/2026 12:14:43 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Marion Logan	Individual	Oppose	In Person

Comments:

Dear Members of the Committee,

Aloha and thank you for serving Hawaii and governing with our people at the forefront of your mind and hearts as you serve.

I stand in opposition to SB 2421 relating to establishing the Hawaii Cannabis and Hemp Office within the Department of Commerce and Consumer Affairs to regulate all aspects of the cannabis plant.

Please note the problematic issues this bill causes:

1. It lays groundwork for full recreational legalization

Although adult-use legalization may depend on federal changes or a constitutional amendment, the bill clearly prepares the infrastructure for legalization. It explicitly establishes a framework for legalized adult-use cannabis, meaning the state would already have the regulatory machine in place when political conditions shift. This signals clear legislative intent to move toward full legalization.

2. It expands government structure and bureaucracy

The bill creates multiple new administrative positions, regulatory systems, and long-term rulemaking authority. It includes staffing mandates (compliance, equity, public health, etc.) and allows interim rules lasting years. That means long-term structural expansion of government oversight. With expansion means new sources of funding for a population already overburdened with taxes.

3. Public health concerns are already acknowledged in bill itself

Interestingly, the bill acknowledges risks, especially to youth and public health. Even while promoting legalization, the findings note concerns about children and the need for education campaigns. **LEGALIZATION WILL NOT DIVERT MENTAL ILLNESS BUT WILL EXACERBATE IT!**

I ask why proceed with pushing legalization of marijuana from a state level? Since the federal government has moved to change marijuana from a schedule 1 drug to a schedule 3, let's allow

the federal government to spearhead efforts in determining how marijuana can be adequately researched, provide and communicate findings, and give direction to states on what constitutes safe amounts for consumption.

Hawaii does not need to move forward with another non-essential expensive program.

**TESTIMONY IN OPPOSITION TO SB2421
RELATING TO CANNABIS**

Senate Committees on Commerce and Consumer Protection / Health and Human Services
and Ways and Means / Judiciary
Thirty-Third Legislature, 2026 Regular Session

POSITION: STRONG OPPOSITION

Submitted by: Gerald Busch, MD, MPH

Forensic Psychiatrist and Addiction Medicine Specialist

Past President, Hawai'i Psychiatric Medical Association

Member, Council on Addiction Psychiatry, American Psychiatric Association

Member, American Board of Psychiatry and Neurology Addiction Certification Committee

Dear Chairs and Members of the Committees:

I am a board-certified forensic psychiatrist and addiction medicine specialist practicing in Honolulu. I serve as Past President of the Hawai'i Psychiatric Medical Association and as a member of the American Psychiatric Association's Council on Addiction Psychiatry and the American Board of Psychiatry and Neurology's Addiction Board Certification Committee. I have spent my career treating patients with substance use disorders, training physicians in addiction medicine, and serving as an expert witness in cases involving the consequences of addictive substances. I submit this testimony in strong opposition to SB2421.

We Were Promised a Kitten. We Got a Tiger.

Imagine a neighbor offers to sell you a kitten. It's small, soft, harmless—something the whole family can enjoy. You bring it home. But as the weeks pass, the kitten grows. Its paws thicken. Its appetite becomes insatiable. Its temperament turns unpredictable. One morning you realize you are no longer living with a kitten. You are living with a tiger—and not a very nice one.

This is the story of commercial cannabis legalization in America. State after state was sold a kitten: a harmless plant, a gentle intoxicant, a source of tax revenue and social justice with no serious downside. Thirteen years later, the evidence from twenty-four states tells us what the animal actually is. And now Hawai'i is being asked to bring it home.

I urge this Legislature to look very carefully at the tiger before opening the door.

What the Federal Data Actually Show About Cannabis Use in Hawai'i

Before examining the national evidence, it is worth pausing on what we know about cannabis use right here in Hawai'i. Proponents of legalization sometimes create the impression that cannabis use is so widespread that legalization merely ratifies the status quo. The federal data tell a very different story.

SAMHSA released the 2024 national NSDUH report in August 2025, and the 2023–2024 state prevalence tables were released later that year. The most recent Hawai‘i-specific data with full age-group breakdowns come from the 2022–2023 NSDUH combined estimates, as published in the State of Hawai‘i Data Book 2024. These data show that approximately 237,000 Hawai‘i residents aged 12 and older—about 19.9 percent of the population in that age range—used marijuana in the past year. Past-month use was lower still: approximately 180,000 people, or about 15.1 percent. Among adults 18 and older, past-year use was 20.8 percent and past-month use was 16.1 percent.

Put plainly: roughly **four out of five** Hawai‘i residents did not use cannabis at all in the past year. Fewer than one in six used it in any given month. This Legislature is being asked to unleash a for-profit commercial industry to serve a distinct minority of the population—and, as the mainland experience demonstrates, the primary commercial beneficiaries will not be those occasional users. They will be the heavy daily users upon whom the industry’s profits depend. Nationally, more than 40 percent of cannabis consumers now use daily or near-daily, and these heavy users consume roughly 80 percent of all cannabis sold in the United States.

The NSDUH data also reveal the cost side of the ledger. An estimated 102,000 Hawai‘i residents—about 8.6 percent of the population aged 12 and older—met DSM-5 criteria for a drug use disorder in the past year. Among those classified as needing substance use treatment, fully 74.2 percent were not receiving it. Our behavioral health system is already failing to treat the substance use disorders we have. Commercial legalization will predictably increase both the numerator and the denominator of this fraction.

The Promise Versus the Reality

The advocates who promoted commercial cannabis legalization made a series of specific, testable promises. As the *New York Times* Editorial Board acknowledged in February 2025—after having endorsed legalization in 2014—many of those promises have proven wrong. The *Times* conceded that it had previously described marijuana addiction and dependence as “relatively minor problems” and that advocates had claimed legalization would not lead to greater use. Both claims, the *Times* now admits, were incorrect.

Writing in *The Atlantic* in January 2025, drug policy scholars Jonathan Caulkins of Carnegie Mellon University and Keith Humphreys of Stanford University—two of the nation’s most respected voices in substance use policy—reached the same conclusion. They write that the promises made by legalization advocates have turned out to be overstated or simply wrong.

Consider the central claims and what actually happened:

The promise: *Legalization will not substantially increase use.* The reality: Daily or near-daily cannabis use in the United States has increased from approximately 2.5 million people in 2000 to 17.7 million by 2022—a sevenfold increase. More Americans now consume cannabis daily than consume alcohol daily. Adult use has surged 155 percent since 2012, and use among those 35 and older has risen 300 percent. The kitten is growing.

The promise: *Cannabis is essentially harmless.* The reality: Nearly 2.8 million Americans now suffer annually from cannabinoid hyperemesis syndrome—a condition causing severe vomiting and abdominal pain that was virtually unheard of a generation ago. Emergency departments are

seeing rising numbers of patients with cannabis-linked paranoia, psychosis, and chronic psychotic disorders. Evidence is mounting that frequent use of high-potency products raises the risk of serious mental illness, including schizophrenia. At least one in ten users develops a cannabis use disorder. The tiger is showing its teeth.

The promise: *Today's cannabis is the same gentle herb people have used for centuries.* The reality: This is emphatically not your parents' marijuana. In 1995, seized cannabis averaged about 4 percent THC. Today, consumers can purchase products exceeding 90 percent THC—more than a twentyfold increase in potency. As Caulkins and Humphreys document, the average daily user now consumes roughly 2,000 milligrams of THC per week, compared to approximately 32 milligrams per week for a typical weekend user in the 1980s and 1990s. That is a seventyfold increase in dose. Medical science has no long-term studies of what happens to the human brain at these exposure levels, because this consumption pattern has never existed before. We are conducting a massive, uncontrolled experiment on the American public. The kitten has become a creature nobody has ever seen before.

The promise: *Legal cannabis will reduce opioid use and other drug harms.* The reality: Early studies claiming cannabis legalization reduced opioid deaths have been reversed by subsequent data. As Caulkins and Humphreys report, recent reviews indicate that legalization is more likely to increase than reduce opioid mortality. The cannabis industry aggressively promoted the opioid-substitution narrative—including billboard campaigns—based on weak science that has now collapsed. The tiger is not replacing the other predators. It is joining them.

The promise: *Legalization will generate substantial tax revenue.* The reality: Commercial production has driven prices down so dramatically that tax revenue has been underwhelming. In California—the nation's largest cannabis market—cannabis taxes peaked in 2021 and by early 2023 accounted for only 0.2 percent of total state tax collections. Fifteen percent of the state's cannabis firms defaulted on taxes they owed. Hawai'i should not restructure its drug policy based on revenue projections from a model that has already failed on the mainland.

The promise: *Legalization will deliver major criminal justice reform.* The reality: Even before legalization, only about 2 percent of prison inmates were incarcerated solely for marijuana offenses, and most of those were traffickers. States that merely decriminalized possession—without full commercial legalization—achieved comparable reductions in arrests. California's conversion of marijuana possession from a misdemeanor to a civil infraction reduced possession arrests by 86 percent in just twelve months, before legalization. The criminal justice argument is largely an argument for decriminalization, which Hawai'i has already undertaken, not for unleashing a commercial industry.

The Tiger's Owner: Big Weed

The kitten was never just a kitten. Behind it stands a commercial industry that has every incentive to make the tiger as large and hungry as possible.

The *New York Times* Editorial Board warns that for-profit marijuana companies have a financial incentive to mislead the public. Cannabis and CBD companies have made false claims that their products treat cancer, Alzheimer's, and a host of other conditions. Products are packaged to appeal to children. The industry knows that more than half its revenue comes from the roughly

20 percent of customers classified as heavy users—people with the most serious use patterns. The industry’s business model depends on addiction.

Caulkins and Humphreys detail how the industry has systematically targeted new demographics. Women—who historically used cannabis at lower rates than men—are now a growth market, echoing the playbooks of the cigarette and alcohol industries. High-frequency use among women has increased 300 percent since 2012. The proliferation of edibles, vapes, concentrates, and other novel products has expanded the consumer base far beyond traditional smokers.

The legal cannabis industry reached more than \$30 billion in U.S. sales in 2024—approaching the total annual revenue of Starbucks. This is not a cottage industry of artisanal growers. This is Big Weed, and it is coming to Hawai‘i if this bill passes.

Why Hawai‘i Should Be Especially Cautious

Hawai‘i has the benefit of being late to this debate—a benefit this Legislature should use wisely. We are not Colorado or Washington in 2012, making decisions in the dark. We have thirteen years of data from twenty-four states. That data should give this body serious pause.

Several features of Hawai‘i’s circumstances make commercial legalization particularly risky here:

1. **Limited behavioral health infrastructure.** Our islands already face severe shortages of psychiatrists, addiction medicine specialists, and mental health professionals. The NSDUH data confirm that 74.2 percent of Hawai‘i residents who need substance use treatment are not receiving it. We are not equipped to manage a predictable surge in cannabis use disorder, psychotic episodes, and cannabinoid hyperemesis syndrome.
2. **Vulnerable youth populations.** While adolescent use has remained relatively stable nationally, Hawai‘i’s youth already face disproportionate rates of substance use and mental health challenges. The NSDUH reports that 16.1 percent of Hawai‘i adolescents experienced a major depressive episode in the past year and 12.9 percent had serious thoughts of suicide. Commercial availability, marketing, and normalization of cannabis use will increase pressure on our keiki at a time when they are already struggling.
3. **Tourism-driven economy.** The proliferation of cannabis retail—what Caulkins and Humphreys describe as cannabis shops sprouting on seemingly every block—threatens to alter the character of our communities in ways that affect residents and visitors alike.
4. **Island geography limits regulatory capacity.** Once a commercial cannabis industry is established in Hawai‘i, it cannot easily be rolled back. There is no neighboring state to absorb spillover effects, no easy way to contain an industry that has proven extraordinarily difficult to regulate on the mainland.
5. **The Farm Bill loophole already plagues Hawai‘i.** Intoxicating hemp-derived products—including delta-8 THC and other synthetic cannabinoids—are already being sold with minimal regulation in our state. Adding full commercial legalization before addressing this existing problem would compound the chaos.

What the Experts Actually Recommend

Both the *New York Times* Editorial Board and Caulkins and Humphreys invoke the framework of the late Mark Kleiman, one of the nation’s foremost drug policy scholars: “**grudging toleration.**” This approach recognizes that there is vast space between heavy-handed criminal prohibition and the enthusiastic embrace of a for-profit commercial cannabis industry. It keeps personal use legal while refusing to hand an addictive intoxicant to corporate interests whose profits depend on maximizing consumption.

Specifically, these experts recommend:

1. **Meaningful taxation** sufficient to deter excessive use—on the scale of dollars per dose, not cents—falling heaviest on heavy users.
2. **Strict potency limits** and outright bans on ultra-high-THC concentrates (dabs, shatter, products exceeding 60 percent THC), which are the most dangerous products on the market.
3. **Restrictions on for-profit corporate manufacturing**, including consideration of nonprofit-only models for cannabis product manufacturing and prohibitions on vertical integration and mergers with tobacco and alcohol companies.
4. **Aggressive public health messaging** about the genuine risks of cannabis, comparable to what we provide for tobacco, alcohol, and gambling.
5. **Robust enforcement** against illegal production and sale, false medical claims, and youth-targeted marketing.
6. **Closing the Farm Bill loopholes** that have created a Wild West of unregulated intoxicating hemp products.

SB2421, by establishing a commercial cannabis industry under the Department of Commerce and Consumer Affairs, charts a fundamentally different course. It follows the failed model—the model that the *New York Times* and the nation’s leading drug policy researchers are now telling us was a mistake.

The National Tide Is Turning

The November 2024 elections sent a clear message. North Dakota, South Dakota, and Florida all voted down recreational cannabis ballot initiatives. Florida rejected legalization despite \$150 million in industry campaign spending and an endorsement from then-candidate Trump. As Caulkins and Humphreys observe, this pause in what had seemed an inexorable march toward national legalization is healthy. The American public is reconsidering.

Hawai‘i should join the reconsideration, not rush past it.

Conclusion: Do Not Bring This Tiger Home

I do not advocate returning to the failed policies of criminal prohibition. I support decriminalization of personal possession, which Hawai‘i has already achieved. I support evidence-based medical cannabis programs with appropriate clinical oversight. I support expungement of prior marijuana convictions.

But SB2421 does not propose any of these sensible reforms. It proposes to invite a for-profit commercial cannabis industry into Hawai‘i—the very model that the *New York Times*, Stanford, and Carnegie Mellon researchers are now warning has caused far more harm than predicted. And it proposes to do so on behalf of a policy that would primarily serve the roughly one in five residents who used cannabis in the past year—while exposing the other four in five to the documented harms of commercialization, including increased potency, aggressive marketing, impaired driving, and a surge in emergency department visits and psychotic disorders.

The advocates will tell you this is a kitten. They will tell you it is soft and harmless and that the whole family will benefit. They told Colorado, Washington, California, and Oregon the same thing. Those states are now living with a tiger—one that is growing larger, more potent, and more difficult to control with every passing year.

Hawai‘i has the rare advantage of learning from others’ mistakes. I urge this Legislature to exercise that advantage. Do not bring this tiger home to our islands.

I respectfully urge you to hold SB2421.

Respectfully submitted,

Gerald Busch, MD, MPH

Forensic Psychiatrist and Addiction Medicine Specialist

Past President, Hawai‘i Psychiatric Medical Association

Member, Council on Addiction Psychiatry, American Psychiatric Association

Member, American Board of Psychiatry and Neurology Addiction Certification Committee

Honolulu, Hawai‘i

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Jonathan Caulkins and Keith Humphreys, “What Marijuana Legalization Has Done to America.” The Atlantic, January/February 2025.

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SAMHSA, Key Substance Use and Mental Health Indicators in the United States: Results from the 2024 National Survey on Drug Use and Health (August 2025).

LATE

To: Senate Committee on Commerce, Consumer Protection, and Health

From: Robert Bence

Date: 2/16/2026

Subject: SB2421 – Opposition / Concerns for Medical Cannabis Patients

Aloha Chair and Committee Members,

I am submitting testimony **opposing SB2421** in its current form due to **multiple negative impacts on Hawai'i's medical cannabis patients** and existing program.

Disruption of Medical Cannabis Program

SB2421 proposes transferring medical cannabis oversight from the Department of Health to a new Hawaii Cannabis and Hemp Office under DCCA. This wholesale restructuring:

- Introduces regulatory uncertainty for patients
 - Risks slowing access to medicine for vulnerable patients

- Adds new unnecessary and life threatening laws

Medical cannabis programs should remain health-focused, not subsumed under commercial or adult-use structures.

Vehicle Consumption and Driving Restrictions

SB2421 imposes new fines and misdemeanors for:

- Consuming cannabis while driving or as a passenger
- Possessing open cannabis in vehicles
- Explicitly codifying DUI violations for cannabis

While safety is important, medical patients are often safer with their medication than without it. Similar to medication warnings against driving or operating heavy machinery until you understand how your body reacts to this medication is more reasonable. The Green Lab study conducted by Hawai'i County Police concluded that experienced users showed little to no signs of impairment and that field sobriety tests aren't reliable for showing impairment by experienced medical 329 patients. For some patients continued use is a medical necessity. Additional penalties may deter patients from traveling to medical appointments or carrying medicine they need.

Financial and Regulatory Burdens

- The new regulatory structure integrates medical cannabis with adult-use rules, potentially diluting patient protections.
- Increased testing, packaging, and administrative requirements will increase costs and reduce product availability, especially for small dispensaries serving medical patients.

Inconsistent with Patient Needs

- SB2421 risks blurring the distinction between medical and adult-use cannabis, weakening protections and access for patients with chronic or terminal illnesses.
- Regulations should remain minimal, transparent, and patient-focused, not burdened with commercial mandates that may favor adult-use over medical care.

Policy and Legal Concerns

- While the bill aligns with federal trends toward adult-use normalization, it fails to safeguard patient rights, affordability, and continuity of care.
- Medical cannabis patients rely on health-centered oversight, clear guidance, and stable access — all

threatened by SB2421's restructuring and surcharge requirements.

If the Legislature wishes to advance cannabis policy safely, SB2421 should be amended to:

1. Protect the medical cannabis program under DOH oversight.
2. Maintain clear distinctions between medical and adult-use cannabis regulations.
3. Avoid punitive vehicle and consumption provisions that unfairly impact medical patients.
4. Ensure regulatory rules are minimal and patient-focused. Schedule 3 would potentially allow the state to finally fix its long broken cannabis law by allowing patients to grow and study cannabis use the state should focus on allowing more patients rights to grow more and distribute not relying on the failed 8 dispensaries Monopolistic State Operations as despite that deeply flawed study results the vast majority of patients don't use the dispensaries because low quality and high prices. A one plant approach where taxes and regulations are lowered for all Hawai'i citizens would benefit everyone legacy, hemp, patients and dispensaries. Lower taxes and regulations are the only way any of this will work or

else it will all remain unsuccessful like every other state. Failure of good policy makes the trap (illegal sellers) win every time and creates a system that the for profit operations also break the law.

Conclusion:

As written, SB2421 risks disrupting patient care, imposing unnecessary financial burdens, and eroding the protections of Hawai'i's medical cannabis program. I urge the Committee to amend or hold SB2421 until these issues are addressed.

Mahalo for your consideration.

Robert Bence

LATE

SB-2421

Submitted on: 2/16/2026 11:49:56 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniel Chinen	Individual	Oppose	Remotely Via Zoom

Comments:

Dear chairs and members of the committees,

thank you for hearing my concerns. i also thank you for not passing recreational marijuana over the previous years.

i oppose this bill for the following reasons:

• This bill legalizes recreational marijuana under a new label

Despite being framed as “low-dose and low-potency,” this bill legalizes the cultivation, sale, and use of cannabis for adults beginning in 2027. It creates a new legalization pathway rather than simply refining existing policy.

• It expands marijuana access without addressing existing harms

Hawaii already allows medical marijuana. This bill expands use to general adult consumption without clear safeguards addressing youth access, impaired driving, mental health impacts, or public health costs.

• “Low potency” does not mean low risk

The bill defines low-dose cannabis as up to 5mg THC per serving, but cumulative consumption still creates impairment. Packaging limits do not prevent overuse, especially with edibles.

• Legalization includes cultivation and normalization

This proposal allows adults to grow cannabis plants at home and possess larger amounts within private residences. Home cultivation increases diversion risks and makes enforcement more difficult.

- **Weakens community protections over time**

The bill creates broad legal exemptions and affirmative defenses for marijuana offenses, signaling a major shift in state policy and making future expansion easier.

- **Creates new legal conflicts and unintended consequences**

The bill limits consequences for cannabis use in areas like employment and custody disputes, potentially creating conflicts with employers, landlords, and federal law.

- **Adds regulatory burden without proven benefit**

The Department of Commerce and Consumer Affairs would be required to build an entirely new regulatory system, adding costs and administrative complexity without clear revenue guarantees.

- **Public normalization impacts youth and families**

Even with age limits, legalization sends a cultural signal that marijuana use is safe or benign. Research from other states shows increased youth perception of safety following legalization.

- **Hawaii should learn from other states**

States that legalized marijuana are now grappling with increased ER visits, impaired driving concerns, and regulatory struggles. Hawaii should not rush into legalization under a rebranded framework.

- **Not the right direction for Hawaii's future**

This bill moves Hawaii toward broader marijuana legalization through incremental steps. Policymakers should prioritize prevention, treatment, and family wellbeing instead of expanding access.

thank you so much

SB-2421

Submitted on: 2/13/2026 8:59:49 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas H Joslyn	Individual	Support	Written Testimony Only

Comments:

I support this Bill and hope you will pass it. It's about time that Hawaii joins so many other states in legalizing and profiting from Taxes on it's sale. I beleive the task force did a good job in it's evaluation, summary of it's findings and writing this bill. Please help to pass this into law. Thank you for the opportunity to testify.

SB-2421

Submitted on: 2/13/2026 9:37:56 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michele Golojuch	Individual	Support	Written Testimony Only

Comments:

I stand in support of this bill.

SB-2421

Submitted on: 2/13/2026 10:58:33 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sylvia Makainai	Individual	Oppose	Written Testimony Only

Comments:

please do not allow the broad, legal use of cannabis, as it is still unclear whether the "second-hand" vapers will affect babies and children!

SB-2421

Submitted on: 2/13/2026 2:19:27 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

• Massive expansion of cannabis legalization framework

SB 2421 creates a sweeping new legal structure for cannabis in Hawai‘i, including a new “Hawaii Cannabis Law” governing cultivation, sale, and possession. This is not a small policy tweak — it is a full rewrite of how cannabis is regulated in the state. The bill establishes a unified system covering medical marijuana, hemp, and potential adult-use legalization under one statutory framework.

• Creates a powerful new cannabis regulatory agency

The bill establishes a **Hawaii Cannabis and Hemp Office** with broad authority over licensing, enforcement, taxation, and rulemaking. This office would function as a semi-independent government body with authority to regulate the entire cannabis supply chain — from cultivation to retail. It also includes multiple executive positions and rulemaking powers similar to major regulatory agencies.

• Lays groundwork for full recreational legalization

Although adult-use legalization may depend on federal changes or a constitutional amendment, the bill clearly prepares the infrastructure for legalization. It explicitly establishes a framework for legalized adult-use cannabis, meaning the state would already have the regulatory machine in place when political conditions shift. This signals clear legislative intent to move toward full legalization.

• Establishes taxes and commercial cannabis marketplace

The measure authorizes cannabis taxation and licensing for commercial sales. This includes cannabis business licensing, tax permits, and a regulated marketplace. Supporters often

emphasize revenue potential, but opponents may raise concerns about normalizing a commercial drug industry.

- **Expands normalization and commercialization concerns**

The bill promotes transitioning illegal operators into a regulated marketplace and expanding industry participation. This reflects a shift from enforcement toward normalization and commercialization. Critics may argue this prioritizes industry growth over prevention and public health concerns.

- **Creates social equity cannabis programs**

SB 2421 includes social equity grants and licensing preferences for certain communities. While framed as restorative justice, opponents may raise concerns about government actively expanding and subsidizing the cannabis industry.

- **Expands government structure and bureaucracy**

The bill creates multiple new administrative positions, regulatory systems, and long-term rulemaking authority. It includes staffing mandates (compliance, equity, public health, etc.) and allows interim rules lasting years. That means long-term structural expansion of government oversight.

- **Public health concerns still acknowledged in bill itself**

Interestingly, the bill acknowledges risks, especially to youth and public health. Even while promoting legalization, the findings note concerns about children and the need for education campaigns. This internal tension can be important in testimony or messaging.

- **Moves Hawai'i closer to normalization of drug culture**

By integrating hemp, medical cannabis, and adult-use frameworks, the bill creates a unified cannabis ecosystem. This represents a cultural and policy shift toward normalization, similar to other states that have moved toward broad cannabis commercialization.

SB-2421

Submitted on: 2/13/2026 3:51:07 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Murakami Akatsuka	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB 2421 in its entirety. I oppose legalizing the personal adult use of cannabis and decriminalizing certain marijuana-related offenses in Hawaii. Let's keep Hawaii safe on the roads as well as pedestrians, in our homes, and keep our children and youths safe.

Thank you for the opportunity to testify in strong opposition of SB 2421.

SB-2421

Submitted on: 2/13/2026 5:45:47 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

It is time to allow personal adult consumption of cannabis in Hawaii. Let's move on it and **SUPPORT** SB2421!

SB-2421

Submitted on: 2/13/2026 6:27:22 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Matthew P Anderson	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is MatthewAnderson, a resident of Lahaina, Maui, and I am writing to urge you to finally pass legislation to legalize adult-use cannabis in Hawaii.

Maintaining the status quo is currently failing our state on three critical fronts: public safety, social justice, and economic responsibility.

First, from a safety perspective, our current prohibition guarantees that the market remains unregulated and dangerous. Without legal oversight, consumers are exposed to products that may be contaminated with pesticides or mold, and there is no way to enforce age verification to keep cannabis out of the hands of minors. A regulated market is the only way to ensure strict testing and ID checks.

Second, we must address the injustice of our current laws. Hawaii's "decriminalization" threshold of just 3 grams is the lowest in the nation and leaves too many of our citizens—particularly Native Hawaiians and working-class residents—vulnerable to life-altering criminal records for non-violent behavior. We are wasting valuable law enforcement resources that should be focused on serious crime, not penalizing personal use.

Finally, we are ignoring the economic reality. By refusing to legalize, we are forfeiting millions in potential tax revenue that could support our schools, infrastructure, and affordable housing. Instead of funding our state, that money continues to flow into the illicit market.

We cannot afford to wait any longer. We need a system that protects consumers, restores justice, and boosts our economy. I ask for your full support in legalizing adult-use cannabis this session.

Mahalo,

Matthew Anderson

SB-2421

Submitted on: 2/13/2026 6:56:49 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Alfred Hagen	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose SB2421. The measure sacrifices our children and young adults to lucre, money. Marijuana use invites the user into the dark side of life, Why don't we promote measures that advance life, joy, and well being? Beautify our parks, our school grounds, our beaches; harden our hiking trails, brighten our nights with brighter lights. Submit bills that celebrate life! Marijuana? Nope, no life in that. Only dirty money and ruined lives.

Respectfully,

Alfred Hagen

SB-2421

Submitted on: 2/14/2026 12:03:47 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Barilyne Sakamoto	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE passage of this bill in any form.

Key reasons against the bill include:

- **Public Safety and Law Enforcement Concerns:** Law enforcement agencies, including the Department of Law Enforcement and the Attorney General’s office, have expressed concern that decriminalizing possession could encourage illegal supply networks. There are also fears regarding increased traffic offenses and public health issues, such as mental illness associated with high-THC products.
- **Economic Impact on Hemp Businesses:** Hemp industry advocates and business owners argue that moving hemp regulation to a new office and imposing stricter THC limits (such as a 0.4 mg per container cap) could be "detrimental to businesses" and potentially "unlawful" under the federal 2018 Farm Bill.
- **Regulatory Overreach and Costs:** Critics point to the significant administrative burden of transferring assets from the Departments of Health and Agriculture to a new, centralized Cannabis and Hemp Office. There are concerns that this transition, along with new taxes starting in 2027, could create a "monopoly" for large dispensaries while pushing small local operators "underground."
- **Federal Conflicts:** Opponents note that since marijuana remains federally illegal, the bill’s contingency on federal changes or state constitutional amendments creates a "slippery slope" and legal uncertainty for employers and state agencies.
- **Inadequate Protections:** Some argue the bill does not go far enough in protecting medical patients from employment discrimination or that it introduces "punitive measures" that could deter participation in the legal market.
- Please do not support this bill it will be wasting tax payers money to create a new department or agency for this that will destroy our island.

Sincerely yours,

Barilyne Sakamoto

SB-2421

Submitted on: 2/14/2026 2:20:17 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
E.L. Brown	Individual	Oppose	Written Testimony Only

Comments:

I oppose the measure because it is part of an attempt to legitimize cannabis-recreational use in Hawaii. Heed the warnings of our Law Enforcement Community and advocates for the voiceless and marginalized communities who will be most impacted, detrimentally, by measures such as this. Auwe!

SB-2421

Submitted on: 2/14/2026 3:02:30 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
JOHN L PANG	Individual	Oppose	Written Testimony Only

Comments:

1. This bill would clearly prepare the infrastructure for legalization & would be the **gateway to increased cannabis use**, lead to legalization, and destroy our Hawai'i culture. I am aligned with the **testimonies of the C&C Prosecutor's Office, Department of Health, & the Honolulu Police Dept.** that were submitted in 2/25 that requested to NOT legalize marijuana. Passing this bill means you do not agree with the **dangers inherent in future legalization & advice of the experts who deal first hand with drugs & crime.**
2. To use our taxes to create a new department/agency with multiple executive positions similar to major regulatory agencies **when crime, homelessness, & drug use are already rampant** & funding for our children's education is not being used well or monitored to ensure our keiki benefit is once again, a **shameful waste of taxpayer dollars.** Current state departments & initiatives are already not being adequately monitored.

SB-2421

Submitted on: 2/15/2026 3:52:02 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mandy Chang	Individual	Oppose	Written Testimony Only

Comments:

In recent years I’ve heard from families living in States where marijuana has become legal and none of them have had a kind word to say for the way it has impacted their communities. They’ve seen an increase in crime as well as a rise in companies of all types needing to fill employment openings without success. In these States the housing market has continued to climb - pricing families out of what should be reasonably affordable homes. These families have also felt increasingly unsafe as the feel of neighborhoods change. We live in a State that cannot afford to continue to move in a direction that is unsafe and unfriendly for families' abilities to thrive. On Oahu our crime has skyrocketed, and we are 400+ police officers short - we cannot afford to invite more crime, more illegal activity and more danger to our island. The streets of Kapolei look like a homeless shelter and our parks have mentally ill individuals and those affected by drugs yelling and wandering around scaring our keiki - and our adults. It is no longer possible for most working-class families to afford even a starter home on Oahu. Our roads would also become more dangerous with the addition of those who would be driving under the influence of marijuana. Let’s not continue down a path leading to more brokenness and loss of Aloha. I strongly urge you to vote NO on SB2421.

Further reasons to oppose any bill related to allowing or supporting the legalization of marijuana in Hawaii:

- 1. Conflict with Federal Law:** Marijuana remains illegal under federal law. Allowing ten ounces (or up to two pounds of marijuana) in homes—far beyond the need for personal use.
- 2. Youth Impact:** Increased availability will lead to higher use among Hawaii’s keiki, who already struggle with e-cigarette usage. States with legalized marijuana have reported spikes in ER visits by children.
- 3. Higher Potency:** Today’s marijuana has far higher THC levels than older strains like “Maui Wowie,” increasing the risk of abuse and adverse effects.
- 4. Drugged Driving:** Marijuana-related incidents already account for 22% of Hawaii’s fatal crashes (2013–2017), according to the Department of Transportation.
- 5. Persistent Black Market:** Legalization won’t eliminate illegal sales, which will continue to evade taxes and target youth.

6. **Enforcement Challenges:** Marijuana plants can grow over eight feet tall, yielding significant amounts of THC-laden product, especially in edibles, where potency varies, and abuse is common.

Thank you for your time,
Amanda Chang of Kapolei

SB-2421

Submitted on: 2/15/2026 11:38:19 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Individual	Oppose	Written Testimony Only

Comments:

Chair San Buenaventura, Chair Keohokalole, and Committee Members,

My name is Brett Kulbis, I'm a 26yr retired Navy Veteran, who took a solemn oath to defend the Constitution from all enemies foreign and domestic, and that oath didn't expire when I retired. I live in Ewa Beach.

I STRONGLY OPPOSE BILL SB-2421.

SB-2421 would fundamentally shift Hawaii's approach to marijuana from controlled substance to normalized commercial product, by creating a new "Hawai'i Cannabis Law" that provides a legal safe harbor from state and county prosecution for a wide range of cannabis activities within a new regulatory scheme. It lays out a complete framework for adult-use cannabis, cultivation, processing, distribution, retail, and home growing, that will automatically take effect once federal law changes or a state constitutional amendment is approved, effectively pre-committing the state to full "recreational" legalization. Although it notes concerns about hemp-derived products marketed to minors and at least one case of child illness, it responds primarily by expanding regulation and commercial integration rather than by materially shrinking access or marketing.

The bill creates a powerful new Hawai'i cannabis and hemp office within the state bureaucracy, with its own administrator and an array of senior positions, including chiefs for compliance, equity, finance, public health and education, technology, and a hemp coordinator. This office is given broad powers to adopt rules with the force of law, license and discipline cannabis and hemp businesses, conduct investigations and seizures, oversee seed-to-sale tracking, and set product potency and packaging standards. It transfers cannabis and hemp related personnel and assets from the Department of Health and Department of Agriculture into this new entity, centralizing control over the industry in a single, specialized bureaucracy whose size and influence will depend on a robust cannabis sector.

SB-2421 also establishes a cannabis regulation and enforcement special fund and imposes new taxes, a 14% tax on adult-use cannabis and 4% on medical cannabis, on top of existing taxes, to finance the new office, hire numerous full-time staff, build a state testing facility, and create multiple grant programs. These include a grant program focused on "disproportionately impacted areas," public health and education grants, public safety grants, and hemp grants, all funded by cannabis revenues and administered with substantial discretion. This structure risks making the

state fiscally dependent on continued and expanded marijuana consumption, while turning cannabis dollars into a vehicle for ongoing, spending and patronage rather than for reducing overall taxes or debt.

Finally, the bill weakens traditional authorities that many view as critical to maintaining community standards. While it formally keeps cannabis banned on school grounds, it allows universities to authorize possession and use by adults on campus and to permit medical cannabis in campus housing, further normalizing marijuana in educational environments. It limits landlords' ability to prohibit cannabis possession and non-inhaled use in most rental housing, and it concentrates licensing and siting decisions at the state level, curbing the ability of local communities to adopt stricter norms. In combination, these features lead to opposition rooted in concerns about public safety, youth exposure, government growth, moral and cultural impacts, and the use of vice revenues to fuel expanded government programs.

From a veteran perspective committed to public safety, limited government, strong families, and respect for parental, property, and local authority, I respectfully urge you to defer indefinitely SB-2421 as it creates a dangerous slippery slope toward broader drug normalization and addiction.

Respectfully,

Brett Kulbis

SB-2421

Submitted on: 2/15/2026 3:47:15 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Kahn	Individual	Support	Written Testimony Only

Comments:

My name is Greg Kahn, from Molokai, and I am testifying in support of SB2421, relating to cannabis.

Often absent in this legalization discussion is the issue of civil rights. I hope that we consider the idea that a person should have the right to control her/his body without government interference. The notion of choice is afforded adults when it comes to alcohol use, tobacco use, junk food, medication side effects, gambling, sugary soft drinks, social media use, etc. All of the aforementioned choices come with thousands of studies identifying severe health consequences and addiction. The hypocrisy in criminalizing adult use cannabis while not criminalizing alcohol, tobacco, etc. suggests that morality is masquerading as debate talking points, resulting in government overreach.

Isn't it time that Hawaii joins the growing number (24) of states that have allowed its citizens the right to control their bodies through choice by legalizing adult use cannabis?

What's the point in becoming the last state to legalize adult use cannabis because we refuse to recognize the inevitable?

SB-2421

Submitted on: 2/15/2026 3:53:38 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Doreen Morimoto	Individual	Oppose	Written Testimony Only

Comments:

Dear Chairman, Vice Chairman and members of this committee,

I oppose this bill SB2421.

Legalizing recreational cannabis should never be approved for our state.

This will "open the door" for other illegal activities.

Protect our state and future generations,

Doreen Morimoto

SB-2421

Submitted on: 2/15/2026 4:33:12 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Miyata	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators,

I respectfully ask you to oppose SB 2421 & SB 3275. As a teenager I smoked a lot of pot and I can tell you first hand that it affects your ability to drive safely. I could hardly see straight and I could've killed someone or myself in a car accident. Please do not subject our keiki or our community to these unnecessary risks.

These bills move Hawai'i closer to broad marijuana legalization and commercialization. While the proposals may differ in scope, both expand normalization of cannabis in our communities.

Many families and health professionals remain concerned about long-term public health impacts, especially for youth. Other states continue to grapple with increased potency products, impaired driving, and youth exposure after legalization.

Please take a cautious approach and prioritize the long-term well-being of Hawai'i's families.

Thank you for your service to our state,

Linda

AYMAN EL-SWAIFY PUBLIC TESTIMONY
SB2421 - RELATING TO CANNABIS

My name is Ayman El-Swaify and I am OPPOSED to Senate Bill 2421. I am a 60-year Hawaii resident and voting constituent.

This Senate Bill would establish a Hawaii Cannabis Hemp Office to regulate cannabis and hemp. It states that “the legislature finds that the legalization of cannabis for personal use is a natural, logical, and reasonable outgrowth of the current science of and attitude toward cannabis”, and that “cannabis cultivation and sales hold the potential for economic development, increased tax revenues, and reduction in crime.”

These objectives sound noble but they aren’t compelling if we consider the myriad of associated social risks. “Others have legalized it, so we should, too” is a weak argument. As I listened in on related 2025 House Bill testimony, I was aghast at the number of mitigations and guard rails that are required. To me, this alone is a very telling indication, and should pause our consideration of opening this Pandora’s box. But as if that weren’t enough, our very own City Prosecutor’s Office, Department of Health, and Police Department also testified in 2025 AGAINST legalizing recreational marijuana.

We can argue all day that legalizing will make marijuana safer and that our guardrails will keep it from our keiki. I don’t believe it and there is plenty of evidence to the contrary.

(1) Crime Issues:

Per a January 2026 article in the Epoch Times

<https://www.theepochtimes.com/article/oklahoma-legalized-medical-marijuana-then-came-the-chinese-organized-crime-5964130>...

“When Oklahoma legalized medical marijuana on June 26, 2018, many people were hopeful that it would stimulate the economy while helping eligible patients. They expected the 7 percent excise tax and state and local property taxes on sales to bring in more money for schools and infrastructure, create new jobs, and help the economy thrive. Few people expected organized crime to rise to the levels it has, according to Mark Woodward, public information officer for the Oklahoma Bureau of Narcotics. Woodward said at least 85 percent of the illegal grow facilities that popped up in Oklahoma have ties to Chinese organized crime.”

I have heard from many in legalized States that say the marijuana in their locations EASILY makes its way to minors because the adults that buy it legally turn around and sell to minors in order to make money and buy harder drugs. It then turns neighborhoods that house the dispensers into ghetto-like semblances of their former selves.

(2) Physical health issues:

Per a September 2025 article in the Epoch Times

<https://www.theepochtimes.com/health/new-research-warns-of-female-fertility-risks-from-marijuana-use-5912601>), exposure to marijuana could affect the health of a woman’s eggs and raise the risk of genetic problems in embryos.

A 2022 study published in the Journal Radiology, and reported on by the Wall Street Journal on 11/15/22, observed that marijuana smokers displayed higher rates of emphysema, bronchial thickening, bronchiectasis, mucoid impaction, and gynecomastia.

Per the CDC website, “Cannabis and Public Health”...

- (a) Cannabis use directly affects brain function—specifically the parts of the brain responsible for memory, learning, attention, decision making, coordination, emotions, and reaction time.
- (b) Cannabis can make the heart beat faster and raise blood pressure immediately after use. It could also lead to increased risk of stroke, heart disease, and other vascular diseases.
- (c) Edibles, or food and drink products infused with cannabis, have some different risks than smoked cannabis, including a greater risk of poisoning.

(3) Psychological health issues:

Today’s marijuana is incredibly potent compared with what folks my age may remember from the 60s and 70s. Per the NIH, “today’s cannabis products can contain levels of tetrahydrocannabinol (THC) as high as 90 percent, a staggering leap from the two to three percent THC concentrations typical of the 1970s. This isn’t just a nostalgic nod to simpler times; it’s a public health alarm.”

A May 4, 2023 Article published by the NIH found that long-term marijuana use increases the likelihood of mental health disorders, including schizophrenia. Daily users are five times more likely to develop psychosis than non-users. Marijuana-related emergency room visits have surged, particularly among adolescents and young adults, in states with legalized recreational use.

A 2023 study in the Cambridge publication Psychological Medicine (also reported in the Harvard Public Health journal on 12/12/2024) finds that the proportion of schizophrenia cases that may be attributed to cannabis has consistently increased over the past five decades. This echoed a previous 2021 JAMA Psychiatry study of seven million Danish citizens which found that their cases of schizophrenia have increased 3- to 4-fold during the past 2 decades.

Please let this next fact sink in: A 2022 Stanford Medicine article entitled, “Investigating psychiatric illnesses of mass shooters“, found in analyzing 35 surviving mass shooters between 1982 and 2019, that 28 of them were likely suffering from an untreated psychiatric illness at the time of the shooting.

I therefore appeal that each of you please OPPOSE SB2421. Please do not be the legislature that welcomes these myriad social ills into our beloved State.

SB-2421

Submitted on: 2/15/2026 11:18:29 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Catherine Collado	Individual	Oppose	Written Testimony Only

Comments:

Honorable Committee Chairs and Members:

I am a 68 year Hawaii resident & voting constituent.

I STRONGLY OPPOSE passage of this bill in any form.

1. This bill would clearly prepare the infrastructure for legalization & would be the **gateway to increased cannabis use**, lead to legalization, and destroy our Hawai'i culture. I am aligned with the **testimonies of the C&C Prosecutor's Office, Department of Health, & the Honolulu Police Dept.** that were submitted on 2/25 that requested to NOT legalize marijuana. Passing this bill means you do not agree with the **dangers inherent in future legalization & advice of the experts who deal first hand with drugs & crime.**
2. To use our taxes to create a new department/agency with multiple executive positions similar to major regulatory agencies **when crime, homelessness, & drug use are already rampant** & funding for our children's education is not being used well or monitored to ensure our keiki benefit is once again, a **shameful waste of taxpayer dollars.** Current state departments & initiatives are already not being adequately monitored.

SB-2421

Submitted on: 2/16/2026 7:21:26 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lora Burbage	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am opposed to SB2421 because it is a support system based on the assumption that the government will legalize recreational marijuana.

Don't put the cart before the horse!

For the sake of our children, who you know will end up being affected, and those who are prone to addiction, do not legalize it. I work with the homeless and low income and so many started with marijuana.

It is not worth the trade off, tax revenue for lives!

Mahalo for doing the right thing, say NO to this bill.

Lora Burbage

February 15, 2026

Testimony Regarding SB2421 – Establishing the Hawaii Cannabis and Hemp Office

I write in opposition to SB2421 that would establish the Hawaii Cannabis and Hemp Office. This bill would establish a unified system to oversee medical marijuana hemp, and potential adult-use legalization. This law paves the way to full legal recreational marijuana in Hawaii.

The bill is the first step in encouraging the greatly expanded use of marijuana by creating a mechanism to regulate and control it in Hawaii. This mechanism is NOT necessary for the current state of medical marijuana. It anticipates a significant expansion and widespread use when recreational marijuana is legalized.

Negative Experience Encountered by States

A recent **New York Times article (dated February 11, 2026)** did a reversal on its position on recreational marijuana. The widespread serious health issues caused by marijuana has alarmed even past advocates. Many negative health impacts such as psychological and physical impairments and the perception that marijuana is a harmless drug with no addictive features were false. The alleged health benefits of marijuana use for medical purposes also don't hold up.

Enabling Widespread Usage with Unenforceable Restrictive Laws

The **same New York Times article** stated that the National Survey on Drug Use and Health showed that 18 million people in the US use marijuana on a daily basis, reflecting a tripling of such use since 2012.

Creating Serious Social Impacts

It is my view that marijuana, like any substance abuse drugs or similar intoxicating substances (like alcohol) causes short-term euphoria for the users, but long-term mental and physical impairments. If it impacted only the user, it would be sad, but, since it often impacts and creates collateral damage to those around the person, it causes serious negative social problems. The list includes:

1. Lost of a potentially productive and contributing member of society
2. Homeless (drug addicted) individuals that harms themselves and the community, and costing our Hawaii millions of dollars (just go to the emergency rooms of our hospitals and you can see its negative impact on all of Hawaii)
3. Reckless road driving that leads to serious accidents when impaired people drive
4. Since marijuana can be smoked, the substance can drift to neighboring families that negatively impact their lives
5. Marijuana often leads to more intoxicating drug usage

6. Increase in crime as people need funds to purchase their drugs

Remember an ounce of prevention is worth a pound of cure. Don't legalize marijuana to avoid these problems.

A real life situation that I was made aware of was the negative impact of someone who used marijuana daily. The person would drive recklessly in and around cars on the road, gun his vehicle in the late night, and smoke in the vehicle at night with friends, the smoke of which would drift into people's homes. Discussing the type of situation with people who understand Hawaii's current laws, I was made aware that controlling marijuana is really unenforceable. I can imagine what the result will be of legalizing its use in our community.

SB-2421

Submitted on: 2/16/2026 9:22:38 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Vlad Sosa	Individual	Oppose	Written Testimony Only

Comments:

Honorable Committee Chairs and Members:

I am a 5 year Hawaii resident & voting constituent.

I STRONGLY OPPOSE passage of this bill in any form.

1. This bill would clearly prepare the infrastructure for legalization & would be the **gateway to increased cannabis use**, lead to legalization, and destroy our Hawai'i culture. I am aligned with the **testimonies of the C&C Prosecutor's Office, Department of Health, & the Honolulu Police Dept.** that were submitted in 2/25 that requested to NOT legalize marijuana. Passing this bill means you do not agree with the **dangers inherent in future legalization & advice of the experts who deal first hand with drugs & crime.**
2. To use our taxes to create a new department/agency with multiple executive positions similar to major regulatory agencies **when crime, homelessness, & drug use are already rampant** & funding for our children's education is not being used well or monitored to ensure our keiki benefit is once again, a **shameful waste of taxpayer dollars.** Current state departments & initiatives are already not being adequately monitored.

Please do not pass this bill.

Thank you!

SB-2421

Submitted on: 2/16/2026 9:25:12 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Theresa Armbruster	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE OPPOSE OPPOSE!!!!!!

Don't try to rationalize why pot should be legalized---PRIORITIZE public safety and health
NOT pot industry wealth!!!

Just because other states have gone to pot doesn't mean Hawaii-nei should rot that way!!!

All legislators: Just say NO to pot!!! Please vote NO on SB2421

Mahalo for opportunity to testify

SB-2421

Submitted on: 2/16/2026 9:40:51 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
JOEL BURBAGE	Individual	Oppose	Written Testimony Only

Comments:

Hi, my name is Joel Burbage, and I am submitting this testimony against the creation of marijuana regulation infrastructure.

I am blessed to full-time houseless and youth ministry on the west side of Oahu, and I have personally seen the ill effects of marijuana usage among young people. So many kids have fallen prey to the temptations of marijuana over usage and the associated lack of drive, and spiral into homelessness and hard drug usage.

I personally know of one young man who is quite intelligent and has a lot of natural talent and was advancing in the ranks as a surfer, but got into weed usage and his life basically completely fell apart. He went from having a bright future ahead of him to just hanging around on the street corners and in the park, getting completely wasted, and ruining his life. I have not seen him in the past few months, in fear that he may have even perished.

This story is only one of countless of our keiki who have gone through the same thing. We need less of this, not more. For this reason, I am highly opposed to any bills that support the creation of or further infrastructure for the cannabis industry to become normalized in our beloved Aina.

Mahalo for your time,

Minister Joel Burbage

SB-2421

Submitted on: 2/16/2026 9:43:50 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Wendy Gibson-Viviani	Individual	Comments	Written Testimony Only

Comments:

To: COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair

Senator Angus L.K. McKelvey, Vice Chair

To: COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair

Senator Carol Fukunaga, Vice Chair

RE: Comments on SB 2421, From: Wendy Gibson-Viviani BSN/RN

HEARING. Tuesday, February 17, 2026 at 9:45 AM

PLACE: Conference Room 229 & Videoconference State Capitol, 415 South Beretania Street

Dear Chairs, San Buenaventura and Keohokalole, Vice Chairs, McKelvey and Fukunaga and Committee Members,

My name is Wendy Gibson-Viviani. I've been a Cannabis Nurse Educator, Medical Cannabis Patient Advocate and Conscientious Objector in the failed war on drugs for 11 years. I believe that cannabis should be legalized for adult-use and that the potential benefits of decriminalization far outweigh the potential harms from actual use. As a person who does not drink alcohol, I feel I should have the legal choice to use a much less harmful substance.

Thank you for the opportunity to provide COMMENTS on SB2421 RELATING TO CANNABIS.

While this bill:

- Establishes the Hawaii Cannabis and Hemp Office within the DCCA to regulate all aspects of the cannabis plant.

- Is contingent upon specific changes at the federal level or a state constitutional amendment, legalizes the personal adult use of cannabis and decriminalizes certain marijuana-related offenses.
- Establishes taxes on cannabis sales. Beginning 1/1/2027
- Adds new traffic offenses relating to the consumption or possession of marijuana or marijuana concentrate.
- Transfers the personnel and assets of the Department of Health and assets of the Department of Agriculture relating to cannabis and hemp to the Hawaii Cannabis and Hemp Office.
- Establishes various positions within state entities. Appropriates funds

I would like to know what “specific change” is needed at a federal level to “trigger” this bill, and remove the trigger language if the chances of it happening are remote. Is the specific change needed the REscheduling to Schedule III or DEscheduling?

Please include more information about regulation such as licensing, lab testing, labeling and manufacturing practices and who will be responsible for rule-making and enforcement.

THC caps need to be reexamined. A 5mg per serving cap might be appropriate for an edible such as a gummy but not at all appropriate for other methods of administration such as inhaled. People who smoke cannabis will have to smoke more to get the same dose they are used to. That’s the opposite of what healthcare professionals are aiming for. These highly restrictive caps will help the illicit market thrive.

I’m puzzled by the push to allow for only low-potency THC while excluding hemp or medical from the definition.

If all Cannabis Sativa is going to be regulated under the same umbrella, I would like to call your attention to the fact that some of the best medicines (CBD-rich) are hemp-derived products. Recent legislation has led to a lack of access to hemp-derived CBD products with any therapeutic levels of THC or THC-A and many patients have been left to find new access.

To help promote hemp farming and patient access to hemp-derived medicines, I think that patients should be allowed to grow hemp to make their own CBD-rich medicines.

I appreciate that adults will be allowed to grow their own THC-rich cultivars and there is a residency requirement for commercial growers. Please include a canopy-size limit to help encourage small farmers and discourage multi-national groups from buying up all the licenses.

Please include some protections for patients. In states that have legalized adult-use, many patients lose access to their affordable medicines when dispensaries run out of stock, no longer stock what they were using or stop recognizing medical patients discounts.

In 2023, the FDA suggested that the DEA reschedule cannabis from Schedule I to Schedule III. Their rationale can be found in “Basis For The Recommendation To Reschedule Marijuana

Into Schedule III of The Controlled Substances Act”.

<https://www.dea.gov/sites/default/files/2024-05/2016-17954-HHS.pdf>

“The risks to the public health posed by marijuana are lower compared to other drugs of abuse (e.g., heroin, oxycodone, cocaine), based on an evaluation of various epidemiological databases for emergency department (ED) visits, hospitalizations, unintentional exposures, and most importantly, for overdose deaths.”

“However, evidence also exists showing that **the vast majority of individuals who use marijuana are doing so in a manner that does not lead to dangerous outcomes to themselves or others.**”

Thank you,

Wendy Gibson-Viviani BSN/RN

Kailua

LATE

Michelle Park
45-829 Paleka Place
Kaneohe, HI 96744

Dear Committee,

I am writing this letter as a concerned citizen to create healthy drug free environments in our communities. This is particularly specific the many marijuana laws that are being proposed.

As a community and family member, I do see the medical benefits yet the recreational proposal by the state legislature puts our youth in serious detrimental health realities.

Please be responsible about these decisions and consider all the facts we can learn from other states and within the nation. We have the time and opportunity to continue a healthy Hawaii for our future and keiki.

Sincerely,



Michelle Park

LATE

SB-2421

Submitted on: 2/16/2026 9:56:12 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
isaac w choy	Individual	Oppose	Written Testimony Only

Comments:

NO MO MONEY!

Cannabis Taxation Experiment

“However, the central question is determining the total tax rate that minimizes negative externalities, such as shifting demand away from the regulated market, and maximizing positive externalities, such as discouraging adverse consumption. Balancing these policy tradeoffs is key to establishing a well-regulated, social welfare-maximizing cannabis policy.”

Pg 29 An Economic Analysis of the Current Medical and Adult-use Cannabis Market in Hawaii, December 19, 2025

The researcher sought to determine the highest tax rate at which cannabis consumers would still purchase legally rather than turn to the black market, where no taxes are applied. Interestingly, he found that marijuana buyers are generally willing to pay up to a 15% tax rate.

He tries to convince survey participants of the product's value by showing pictures of the legal cannabis flower. In my opinion, it would have been more effective to have participants sample the product during the survey.

Nevertheless, this analysis lacks substantiation and demonstrates no credible academic rigor. It appears intended to persuade individuals without sufficient background knowledge of a potential revenue stream from legal marijuana sales, and to support the legalization of marijuana.

In conclusion, the opportunity to generate substantial revenue from adult use of marijuana sales may no longer be viable and should not be a factor in legalizing adult use of marijuana. Implementing additional regulations and the associated administrative overhead on an already very accessible product is likely to increase the cost of legal goods and potentially encourage black-market sales due to lower prices. To think otherwise is folly!

LATE

SB-2421

Submitted on: 2/16/2026 10:28:14 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Carol Kamai	Individual	Oppose	Written Testimony Only

Comments:

I am a constituent of this state and I strongly oppose the legalization of Marijuana. I am aware of its medical benefits however the recreational use I can not tolerate. This drug will be a detriment to our state in so many levels. Last year we had testimony after testimony against the legalization of Marijuana from reputable professionals. The only counter to push these legalization bills came from those who want the revenue from this illegal drug. Our lawmakers are willing to forego the health, the well being and the increase of crime in Hawaii for a few dollars. If our state had a reputation of managing our state budget accurately someone could consider a viable argument with increased funds for the state however collecting and managing appropriately do not go hand in hand in Hawaii Nei.

I implore you, do not legalize Marijuana. Take and learn from example the failed state of Colorado. They basically have run a muck for having allowed Marijuana to run their state. 9 year olds are caring for their parents because their parents are strung out on high potency THC levels of Marijuana. New Zealand provided proof to you that the Marijuana on the market, in this day and age dramatically surpasses the potency of 5, 10, 20, 30 and 40 years ago. Let alone it is absolutely a gateway to stronger drugs that will continue to draw drug abuse to our islands and fuel the current use here in Hawaii.

Take the time to create a bill to rehab these users, former or current. Give long term resolutions not just patch work solutions with the least amount of effort.

Again I request you kill this bill legalizing Marijuana. This should be our mantra going forward Kill Marijuana bills.

Carol Kamai

LATE

SB-2421

Submitted on: 2/16/2026 10:41:52 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Godbey Carson	Individual	Oppose	Written Testimony Only

Comments:

Please vote NO to legalizing cannibas. It will do more harm than good.



SB-2421

Submitted on: 2/16/2026 12:05:15 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Erin Chinen	Individual	Oppose	Written Testimony Only

Comments:

Dear chairs and members of the committees,

thank you for hearing my concerns. i also thank you for not passing recreational marijuana over the previous years.

i oppose this bill for the following reasons:

• This bill legalizes recreational marijuana under a new label

Despite being framed as “low-dose and low-potency,” this bill legalizes the cultivation, sale, and use of cannabis for adults beginning in 2027. It creates a new legalization pathway rather than simply refining existing policy.

• It expands marijuana access without addressing existing harms

Hawaii already allows medical marijuana. This bill expands use to general adult consumption without clear safeguards addressing youth access, impaired driving, mental health impacts, or public health costs.

• “Low potency” does not mean low risk

The bill defines low-dose cannabis as up to 5mg THC per serving, but cumulative consumption still creates impairment. Packaging limits do not prevent overuse, especially with edibles.

• Legalization includes cultivation and normalization

This proposal allows adults to grow cannabis plants at home and possess larger amounts within private residences. Home cultivation increases diversion risks and makes enforcement more difficult.

- **Weakens community protections over time**

The bill creates broad legal exemptions and affirmative defenses for marijuana offenses, signaling a major shift in state policy and making future expansion easier.

- **Creates new legal conflicts and unintended consequences**

The bill limits consequences for cannabis use in areas like employment and custody disputes, potentially creating conflicts with employers, landlords, and federal law.

- **Adds regulatory burden without proven benefit**

The Department of Commerce and Consumer Affairs would be required to build an entirely new regulatory system, adding costs and administrative complexity without clear revenue guarantees.

- **Public normalization impacts youth and families**

Even with age limits, legalization sends a cultural signal that marijuana use is safe or benign. Research from other states shows increased youth perception of safety following legalization.

- **Hawaii should learn from other states**

States that legalized marijuana are now grappling with increased ER visits, impaired driving concerns, and regulatory struggles. Hawaii should not rush into legalization under a rebranded framework.

- **Not the right direction for Hawaii's future**

This bill moves Hawaii toward broader marijuana legalization through incremental steps. Policymakers should prioritize prevention, treatment, and family wellbeing instead of expanding access.

LATE

SB-2421

Submitted on: 2/16/2026 1:18:15 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Arianna Joy	Individual	Oppose	Written Testimony Only

Comments:

Hello Lawmakers, thank you for serving our state. I strongly oppose SB2421. I do not think legalization will benefit Hawaii now or in the future. As a parent and small business owner this bill threatens the two of the most important parts of my life. I have worked in town for my whole career, on Ward Avenue and Beretania Street. The increase of homelessness and those on drugs has been tremendous especially since the covid pandemic. I strongly think that legalizing marijuana use would only increase this public safety risk. And there are already so many kids that smoke cigarettes illegally because they know someone who can give them access to it, if marijuana is legal than the increase of kids using that is absolutely frightening to think about. Thank you for your time in reading this.

LATE

SB-2421

Submitted on: 2/16/2026 3:02:10 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Reina Loughlin	Individual	Oppose	Written Testimony Only

Comments:

Protect Hawai'i's Keiki — Please Vote No on SB 2421 & SB 3275

I'm writing to respectfully urge you to oppose SB 2421 and SB 3275.

As a mother of 5 ranging in ages 6 up to 24 years of age, I have first hand experience of the influence, concern, and impact of substances that are illegal, as well as the abuse and negative side effects of legal substances meant to help people, but end up a double edged sword.

Risks of legalizing marijuana outweigh the benefits. Let's not create additional problems but find better solutions and safeguards that serve everyone.

These bills would expand marijuana legalization in Hawai'i and normalize cannabis use across our communities. As someone who cares deeply about our keiki, I am concerned about the message this sends to young people.

Even policies framed as "low potency" contribute to a culture that makes marijuana more accessible and socially acceptable. Many parents and educators are already navigating serious mental health and substance use challenges among youth.

Please stand with families and vote no on these measures.

Mahalo for your service.

LATE

SB-2421

Submitted on: 2/16/2026 5:32:08 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ron Yoshida	Individual	Oppose	Written Testimony Only

Comments:

Aloha Honorable State Senators,

First of all I want to say Mahalo for all you do to help improve the quality of life for all of us in our beloved Hawaii. I'm writing to express my sincere and heartfelt OPPOSITION to Sb2421 a bill that would legalize the recreational use of marijuana. I know that marijuana use is rampant all over Hawaii and especially by our youth, especially through vaping and edibles. My concern is that if we legalize recreational marijuana, access to marijuana and marijuana products will be so much easier to get. I know this will add funds to our economy, but the negative impact would far outweigh the financial benefits. Negative impacts such as the increase in marijuana related crime, car accidents due to driving while "high", young people overdosing due to vaping THC oil, and the list goes on and on, as statistics have shown in other States, such as Colorado, and Oregon.

The marijuana of the 1960s and 70s is nowhere near as strong in its THC content as it is today (5% back then to now upwards of 80%). Also as a former Certified Substance Abuse Counselor (CSAC) in Hawaii, I have seen the detrimental effects Cannabis use has had on youth and their families. Marijuana also continues to be a "Gateway drug" and therefore I cannot agree with the Governor's statement that this will decrease the use of harder drugs by users. Here is an article in Psychology Today that support this:

From Psychology Today:

<https://www.psychologytoday.com/us/blog/all-about-addiction/201807/is-marijuana-gateway-drug?amp>

"Is Marijuana a Gateway Drug?"

There is a lot of debate about whether marijuana is actually a harmful drug and whether it does act as a gateway to more "hard" drugs like cocaine, heroin, and more.

A recent research article sought to examine whether the use of marijuana really produced reductions in opioid use. It used a large dataset from a well established national survey that was conducted between 2001 and 2005 to answer this question. The overall results suggested that **marijuana use actually significantly and substantially increased the odds that a person would misuse opioid medication after using marijuana.** This large study, published in a respected psychiatric journal, was used in some recent articles to remind us of the gateway theory of marijuana use, which I think deserves some more thought."

I humbly asked you to please vote "No" on this bill.

Much Mahalo,
Ron Yoshida
(808) 265-5566

LATE

SB-2421

Submitted on: 2/16/2026 11:16:28 PM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Josh Fowler	Individual	Oppose	Written Testimony Only

Comments:

STRONG OPPOSITION

SB2421 – Relating to Cannabis

Chair and Members of the Committee:

My name is Josh Fowler, and I am submitting testimony in **strong opposition** to SB2421.

SB2421 undermines Hawai‘i’s existing clean air protections by expanding and normalizing cannabis smoking and vaping without adequately preserving the intent or enforceability of the State’s smoke-free laws. Hawai‘i has made deliberate policy choices to protect residents, workers, and families from involuntary exposure to secondhand smoke and aerosol. This bill moves in the opposite direction.

Cannabis smoke and vapor are not benign. Inhalation-based products release fine particulate matter and other byproducts into shared air environments. SB2421 increases the likelihood of exposure in multi-unit housing, workplaces, and public or semi-public spaces, placing the burden on non-users to avoid exposure rather than preventing it.

The bill also creates enforcement ambiguity. By layering new cannabis-specific rules and exceptions on top of existing clean air law, SB2421 makes it harder for residents, landlords, employers, and enforcement agencies to clearly understand where smoking and vaping are prohibited. This weakens compliance and invites conflict.

Public health protections are treated as secondary to market structure and licensing. The bill focuses heavily on legalization, taxation, and commercial regulation, while failing to clearly and affirmatively protect smoke-free environments. Hawai‘i should not dilute long-standing clean air policy to accommodate inhalation-based consumption.

Hawai‘i’s clean air laws exist to protect everyone, not just consumers of a particular product. SB2421 erodes those protections and shifts health, enforcement, and quality-of-life costs onto the public.

For these reasons, I strongly oppose SB2421 and urge the Committee to reject it.

Respectfully submitted,
Josh Fowler
Kapolei, Hawai'i 96707

LATE

SB-2421

Submitted on: 2/17/2026 8:27:33 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gail Tamaribuchi	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose any type of legalization of Marijuana but since medical use has been legalized, please do not let recreational use be legalized. In my neighborhood, we could smell it every night. It was not a pleasant aroma to try to fall asleep to! Luckily, that rental was bought out so our nights are peaceful again.

In the military, THC Delta 9 is illegal and if a service member tests positive for Marijuana, they are processed for discharge. It can ruin many military careers.

The younger the person who is exposed to Marijuana, the greater the damage to their frontal lobe of their brains. We do not want generations of dumb people unable to remember short term learnings.

LATE

SB-2421

Submitted on: 2/17/2026 9:03:55 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kai Luke	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Distinguished Committee Members,

As a voting member of the community, I appreciate you hearing this bill.

With the United States Department of Health and Senior Services holding patent 6630507b1 titled “Cannabinoids as Antioxidants and Neuroprotectants” filed in 1999, there is recorded historical evidence of the potential therapeutic benefits of Cannabis.

This may have enormous effects going forward as all humans have an “Endocannabinoid System” or ECS that helps to regulate the body via homeostasis.

While many of the global community moves towards future proofing health initiatives with Cannabis, we lack the cohesiveness to provide a safe and strong foundation to build on the understanding of plant medicine.

Please support the majority of the community’s choice to participate in the growing cannabis sector and let the resources benefit the entire community.

I support this bill with amendments and need to see more inclusion for minorities and the underserved indigenous communities that are most impacted by reefer madness and the war on cannabis.

Thank you for allowing me to testify.

Mahalo,

Kai Luke

LATE

SB-2421

Submitted on: 2/17/2026 9:31:16 AM

Testimony for CPN on 2/17/2026 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gregory Misakian	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB2421.

Gregory Misakian

LATE

I strongly oppose SB2421. For years we have heard that recreational use of marijuana should be legalized for various reasons, highlighting the perceived promises of economic benefits to Hawaii and providing “a legal safe harbor from state or county criminal prosecution concerning activities relating to cannabis for those who strictly comply...”.

Unfortunately, in reading this 318-page document, I cannot find anything to protect residences, be it single-family dwellings, condos, townhouses, or apartments from second hand marijuana smoke. While this State Capitol is a smoke-free zone, with fines for law-breakers, there is no protection for the ordinary little guys, like me.

I respectfully ask that you kill this bill now.

Thank you.