

A Bill for an Act Relating to Public Health and Morals.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter † 712-1247, Hawaii Revised Statutes, is amended by adding a new subsection to read as follows:

“(3) Any marijuana seized as evidence of a violation of this section in excess of ten pounds may be destroyed after it has been photographed and the weight thereof recorded. The remainder of the marijuana shall remain in the custody of the police department until the termination of any criminal action brought as a result of the seizure of the marijuana. Photographs duly identified as accurately representing the marijuana shall be deemed competent evidence of the marijuana involved and shall be admissible in any proceeding, hearing or trial to the same extent as the marijuana itself. Provided, however, that nothing in this subsection shall be construed to limit or to restrict the application of Rule 901 of the Hawaii Rules of Evidence.”

SECTION 2. New statutory material is underscored.*

SECTION 3. This Act shall take effect upon its approval.

(Approved June 10, 1981.)

†So in original.

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.