

ACT 31

S.B. NO. 123

A Bill for an Act Relating to Promoting Dangerous or Harmful Drugs.

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

SECTION 1. Section 712-1241, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

“(1) A person commits the offense of promoting a dangerous drug in the first degree if he knowingly:

- (a) Possesses one or more preparations, compounds, mixtures, or substances of an aggregate weight of:
 - (i) One ounce or more, containing any of the respective alkaloids or salts of heroin, morphine, or cocaine; or
 - (ii) Two ounces or more, containing one or more of any of the other dangerous drugs; or
- (b) Distributes:
 - (i) Fifty or more capsules, tablets, ampules, dosage units, or syrettes containing one or more dangerous drugs; or
 - (ii) One or more preparations, compounds, mixtures, or substances of an aggregate weight of:
 - (A) One-eighth ounce or more, containing any of the respective alkaloids or salts of heroin, morphine, or cocaine; or
 - (B) One-half ounce or more, containing any other dangerous drug; or
- (c) Distributes any dangerous drug in any amount to a minor.”

SECTION 2. Section 712-1244, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

“(1) A person commits the offense of promoting a harmful drug in the first degree if he knowingly:

- (a) Possesses four hundred or more capsules or tablets containing one or

- more of the harmful drugs or one or more of the marijuana concentrates, or any combination thereof; or
- (b) Possesses one or more preparations, compounds, mixtures, or substances, of an aggregate weight of one ounce or more containing one or more of the harmful drugs or one or more of the marijuana concentrates, or any combination thereof; or
 - (c) Distributes fifty or more capsules or tablets containing one or more of the harmful drugs or one or more of the marijuana concentrates, or any combination thereof; or
 - (d) Distributes one or more preparations, compounds, mixtures, or substances, of an aggregate weight of one-eighth ounce or more, containing one or more of the harmful drugs or one or more of the marijuana concentrates, or any combination thereof; or
 - (e) Distributes any harmful drug or any marijuana concentrate in any amount to a minor.”

SECTION 3. Section 712-1247, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

“(1) A person commits the offense of promoting a detrimental drug in the first degree if he knowingly:

- (a) Possesses four hundred or more capsules or tablets containing one or more of the Schedule V substances; or
- (b) Possesses one or more preparations, compounds, mixtures, or substances of an aggregate weight of one ounce or more containing one or more of the Schedule V substances; or
- (c) Distributes fifty or more capsules or tablets containing one or more of the Schedule V substances; or
- (d) Distributes one or more preparations, compounds, mixtures, or substances of an aggregate weight of one-eighth ounce or more, containing one or more of the Schedule V substances; or
- (e) Possesses one or more preparations, compounds, mixtures, or substances of an aggregate weight of two and two-tenths pounds or more, containing any marijuana; or
- (f) Distributes one or more preparations, compounds, mixtures, or substances of an aggregate weight of two ounces or more, containing any marijuana; or
- (g) Distributes any marijuana or any Schedule V substance in any amount to a minor.”

SECTION 4. Statutory material to be repealed is bracketed. New material is underscored.*

. SECTION 5. This Act shall take effect upon its approval.

(Approved April 29, 1981.)

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