A BILL FOR AN ACT

RELATING TO MARIJUANA.

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

SECTION 1. Chapter 329, Hawaii Revised Statutes, is amended by adding three new sections to be appropriately designated and to read as follows:

"§329-A Medical marijuana cultivation. (a) Notwithstanding any state law to the contrary, the cultivation of medical marijuana shall not be a criminal offense for persons twenty-one years of age or older; provided that each person who cultivates medical marijuana shall register with the department of health pursuant to section 329-B.

(b) It shall be unlawful for any person who does not comply with subsection (a) to cultivate medical marijuana.

§329-B Medical marijuana cultivation; rules. The department of health shall adopt rules pursuant to chapter 91 to establish:

(1) Requirements for the registration of any person who cultivates medical marijuana pursuant to section 329-A; provided that the rules shall require, at a
minimum, that each registrant complete a written form provided by the department of health that shall include the following information:

(A) The name and address of the person who cultivates medical marijuana; and

(B) The location where the medical marijuana is cultivated;

(2) Standards, procedures and methodologies relating to testing medical marijuana for tetrahydrocannabinol content and consistency;

(3) Requirements and processes for the licensing of facilities that test medical marijuana for tetrahydrocannabinol content and consistency pursuant to paragraph (2);

(4) A tracking system that will allow the department of health to track medical marijuana cultivated pursuant to section 329-A from either seed or immature plant stage until the marijuana is sold to a customer or destroyed; and
(5) Procedures for the enforcement of prohibitions against
the cultivation of medical marijuana that is not
registered pursuant to section 329-A.

§329-C Medical marijuana; infusion of trademarked items
prohibited. It shall be unlawful for any person to infuse any
product with any medical marijuana if the product is registered
with a trademark in accordance with chapter 482 or registered on
the Principal Register of the United States Patent and Trademark
Office."

SECTION 2. In codifying the new sections added by section
1 of this Act, the revisor of statutes shall substitute
appropriate section numbers for the letters used in designating
the new sections in this Act.

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

JAN 26 2015
Report Title:
Medical Marijuana; Cultivation; Registration; Rules; Trademarked Product Infusion; Prohibitions

Description:
Authorizes the cultivation of medical marijuana. Requires registration with DOH. Requires DOH to adopt rules. Prohibits the infusion of trademarked products with medical marijuana.

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