

JAN 19 2018

A BILL FOR AN ACT

RELATING TO MEDICAL CANNABIS DISPENSARIES.

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

1 SECTION 1. The legislature finds that section 329D-6(d),
2 Hawaii Revised Statutes, restricts Hawaii medical cannabis
3 dispensaries from employing an individual if the person was
4 convicted of a felony. This appears restrictive, as other
5 states that have legalized medical cannabis dispensaries allow
6 the employment of felons unless convicted for a limited set of
7 offenses. Section 329D-6(d), Hawaii Revised Statutes, does not
8 provide the opportunity for any exceptions based on the nature
9 of the individual's felony record.

10 The purpose of this Act is to specify certain felonies that
11 will preclude employment at medical cannabis dispensaries,
12 rather than make ineligible for employment all individuals who
13 have been convicted of any felony.

14 SECTION 2. Section 329D-6, Hawaii Revised Statutes, is
15 amended by amending subsection (d) to read as follows:

16 "(d) Notwithstanding any other law to the contrary,
17 including but not limited to sections 378-2 and 378-2.5, [æ



1 ~~dispensary shall employ a person convicted of a felony.]~~

2 dispensaries may deny employment to any individual who has been:

3 (1) Convicted of a class A or class B felony; or

4 (2) Convicted of a class C felony involving:

5 (A) Fraud, deceit, misrepresentation, embezzlement,
6 or theft;

7 (B) Endangering the welfare of a minor; or

8 (C) Trafficking, distributing, or promoting a drug.

9 Employment under this chapter shall be exempt from section
10 378-2(a)(1), as it relates to arrest and court record
11 discrimination, and section 378-2.5."

12 SECTION 3. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

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

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S.B. NO. 2651

Report Title:

Medical Cannabis Dispensaries; Employees; Employment; Felony

Description:

Specifies certain felonies that will preclude employment at a medical cannabis dispensary.

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