

STAND. COM. REP. NO.

**2298**

Honolulu, Hawaii

**FEB 14 2018**

RE: S.B. No. 2220  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Labor, to which was referred S.B. No. 2220  
entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit an employer from suspending, discharging, or discriminating against an employee for testing positive for cannabis if the employee is a registered qualifying patient who is authorized for the medical use of cannabis, with certain exceptions.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Drug Policy Forum of Hawai'i, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition; Big Island Substance Abuse Council; and Ohana Makamae, Inc. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that this measure protects medical cannabis patients who are in full compliance with state law from discriminatory termination by their employer. Eleven other states have enacted laws with explicit protections against discrimination of medical cannabis patients.



Your Committee acknowledges that use of medical cannabis remains prohibited under federal law. Thus, your Committee requests that, as this measure moves through the legislative process, the Department of the Attorney General submit an opinion to your Committee on Judiciary regarding the implications of this measure under federal law.

Your Committee has amended this measure by:

- (1) Exempting state law enforcement officers and state correctional facility employees; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2220, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Labor,



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JILL N. TOKUDA, Chair



