A BILL FOR AN ACT

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

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

SECTION 1. Section 329-122, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

"(f) For the purposes of this section, "transport" means the transportation of cannabis, usable cannabis, or any manufactured cannabis product between:

(1) A qualifying patient and the qualifying patient's primary caregiver;

(2) A qualifying out-of-state patient under eighteen years of age and the caregiver of a qualifying out-of-state patient;

(3) The production centers and the retail dispensing locations under a dispensary licensee's license; or

(4) A production center, retail dispensing location, qualifying patient, primary caregiver, qualifying out-of-state patient, or caregiver of a qualifying out-of-state patient and a certified laboratory for the purpose of laboratory testing; provided that a
qualifying patient, primary caregiver, qualifying out-of-state patient, or caregiver of a qualifying out-of-state patient may only transport up to one gram of cannabis per test to a certified laboratory for laboratory testing and may only transport the product if the qualifying patient, primary caregiver, qualifying out-of-state patient, or caregiver of a qualifying out-of-state patient:

(A) Secures an appointment for testing at a certified laboratory;

(B) Obtains confirmation, which may be electronic, that includes the specific time and date of the appointment and a detailed description of the product and amount to be transported to the certified laboratory for the appointment; and

(C) Has the confirmation, which may be electronic, available during transport.

For purposes of interisland transportation, "transport" of cannabis, usable cannabis, or any manufactured cannabis product, by any means is allowable only by a qualifying patient or qualifying out-of-state patient for the patient's personal
medical use, or between a production center or retail dispensing
location and a certified laboratory for the sole purpose of
laboratory testing pursuant to section 329D-8, as permitted
under section 329D-6(m) and subject to section 329D-6(j), and
with the understanding that state law and its protections do not
apply outside of the jurisdictional limits of the State.

[Allowable transport pursuant to this section does not include
interisland transportation by any means or for any purpose
between a qualified patient, primary caregiver, qualifying out-
of-state patient, or caregiver of a qualifying out-of-state
patient and any other entity or individual, including an
individual who is a qualified patient, primary caregiver,
qualifying out-of-state patient, or caregiver of a qualifying
out-of-state patient.] The department of transportation and
department of public safety shall adopt rules pursuant to
chapter 91 necessary for the purposes of this subsection."

SECTION 2. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.
Report Title:
Uniform Controlled Substances Act; Medical Cannabis; Interisland Transportation

Description:
Authorizes qualifying patients or qualifying out-of-state patients to transport medical cannabis between islands for their personal medical use. (HB290 CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.