

JAN 20 2023

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# A BILL FOR AN ACT

RELATING TO MEDICAL CANNABIS.

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

1           SECTION 1. The legislature finds that restricting the  
2 interisland transportation of cannabis by patients for their  
3 personal medical use is contrary to the intent of Hawaii laws  
4 that authorize qualifying patients to use medical cannabis.

5           Accordingly, the purpose of this Act is to protect the  
6 rights of qualifying patients to use medical cannabis by  
7 specifically authorizing the interisland transportation of  
8 cannabis for personal medical use.

9           SECTION 2. Section 329-122, Hawaii Revised Statutes, is  
10 amended by amending subsection (f) to read as follows:

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

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



- 1           (2) A qualifying out-of-state patient under eighteen years  
2                   of age and the caregiver of a qualifying out-of-state  
3                   patient;
- 4           (3) The production centers and the retail dispensing  
5                   locations under a dispensary licensee's license;
- 6           (4) Dispensaries, to the extent authorized by section  
7                   329D-6(r); or
- 8           (5) A production center, retail dispensing location,  
9                   qualifying patient, primary caregiver, qualifying out-  
10                  of-state patient, or caregiver of a qualifying out-of-  
11                  state patient and a certified laboratory for the  
12                  purpose of laboratory testing; provided that a  
13                  qualifying patient, primary caregiver, qualifying out-  
14                  of-state patient, or caregiver of a qualifying out-of-  
15                  state patient may only transport up to one gram of  
16                  cannabis per test to a certified laboratory for  
17                  laboratory testing and may only transport the product  
18                  if the qualifying patient, primary caregiver,  
19                  qualifying out-of-state patient, or caregiver of a  
20                  qualifying out-of-state patient:



- 1           (A) Secures an appointment for testing at a certified
- 2           laboratory;
- 3           (B) Obtains confirmation, which may be electronic,
- 4           that includes the specific time and date of the
- 5           appointment and a detailed description of the
- 6           product and amount to be transported to the
- 7           certified laboratory for the appointment; and
- 8           (C) Has the confirmation, which may be electronic,
- 9           available during transport.

10           For purposes of interisland transportation, "transport" of  
11 cannabis, usable cannabis, or any manufactured cannabis product,  
12 by any means is allowable only by a qualifying patient or  
13 qualifying out-of-state patient for the patient's personal  
14 medical use, between dispensaries to the extent authorized by  
15 section 329D-6(r) [~~and~~], or between a production center or  
16 retail dispensing location and a certified laboratory for the  
17 sole purpose of laboratory testing pursuant to section 329D-8,  
18 as permitted under section 329D-6(m) and subject to section  
19 329D-6(j), and with the understanding that state law and its  
20 protections do not apply outside of the jurisdictional limits of  
21 the State. [~~Allowable transport pursuant to this section does~~

1 ~~not include interisland transportation by any means or for any~~  
2 ~~purpose between a qualifying patient, primary caregiver,~~  
3 ~~qualifying out of state patient, or caregiver of a qualifying~~  
4 ~~out of state patient and any other entity or individual,~~  
5 ~~including an individual who is a qualifying patient, primary~~  
6 ~~caregiver, qualifying out of state patient, or caregiver of a~~  
7 ~~qualifying out of state patient.] "~~

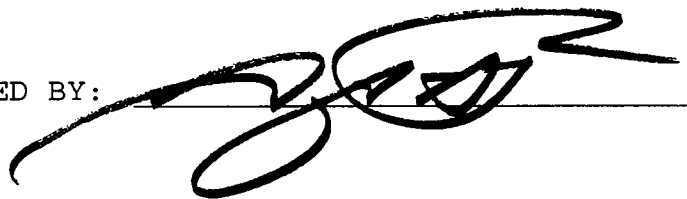
8 SECTION 3. This Act does not affect rights and duties that  
9 matured, penalties that were incurred, and proceedings that were  
10 begun before its effective date.

11 SECTION 4. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and difficult to decipher.

# S.B. NO. 465

**Report Title:**

Cannabis; Medical Use; Interisland Transportation; Authorization

**Description:**

Authorizes qualifying patients and qualifying out-of-state patients to transport cannabis between islands of the State for personal medical use.

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

