

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii
Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1333, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT,"

begs leave to report as follows:

The purpose of this measure is to remove the prescription drug Epidiolex and approved generic versions of that drug that contain cannabidiol derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols from Schedule V of the Uniform Controlled Substances Act and certain provisions of the Hawaii Penal Code.

Your Committee received testimony in support of this measure from the Department of Public Safety. Your Committee received comments on this measure from Akamai Cannabis Clinic.

Your Committee finds that the Agriculture Improvement Act of 2018 (P.L. 115-334), modified the regulatory controls over cannabis, tetrahydrocannabinols, and other cannabis-related constituents in the federal Controlled Substances Act. In April 2020, the United States Drug Enforcement Agency notified the manufacturer of Epidiolex of its removal from the federal Schedule V and officially removed its designation through an interim final rule issued in August 2020. This measure is necessary to conform the Uniform Controlled Substances Act with the federal treatment of Epidiolex and approved generic versions of that drug.

Your Committee further finds that the Agriculture Improvement Act of 2018 legalized hemp by removing hemp from the definition of "marihuana" contained in the federal Controlled Substances Act. To be consistent with federal law, additional changes are needed to exempt hemp under the Uniform Controlled Substances Act.

Your Committee has amended this measure by:

- (1) Amending its purpose section;
- (2) Exempting hemp from the Uniform Controlled Substances Act pursuant to federal law;
- (3) Amending Act 14, Session Laws of 2020, to permanently codify the definition of "hemp" and amendments to the definition of "marijuana" under the Uniform Controlled Substances Act; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1333, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1333, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on
Judiciary & Hawaiian Affairs,

MARK M. NAKASHIMA, Chair