



REGULATING CANNABIS IN HAWAII — HB 1246 & SB 1613 Putting Public Health and Public Safety at the Forefront

HB 1246 and SB 1613 would legalize and regulate cannabis for adults 21 and older in Hawai'i. The bills move sales off the streets and into regulated adults-only stores.

HB 1246 and SB 1613 require regulators to make public health and safety the top priority, and to invest in a robust public education campaign before sales begin. Within a few years of legal sales, they will generate over \$50 million in new taxes per year, much of which will be invested in youth services, substance abuse prevention and treatment, and public safety.

Regulating to Protect Health and Safety

- Mandates rules on security, lab testing, health and safety, labeling, dosages, and potency.
- Provides for unannounced inspections.
- Packaging must be opaque, a single color with no graphics, child-resistant, resealable, and include warnings and potency information.
- Bans candies and products that appeal to kids.
- Each product must be registered.
- Cracks down on novel intoxicating hemp products and imposes regulatory control.
- Bans hazardous and detrimental products.

Responsible Limits on Cannabis Consumers

- Prohibits public smoking (\$130 fine).
- Prohibits open containers in cars (\$130 fine).
- Prohibits consuming cannabis while driving (including second-hand) and smoking or vaping cannabis as a passenger (Up to \$2,000 fine).
- Does not allow driving under the influence or performing any task that would be negligent or malpractice while under the influence.
- Prohibits cannabis at childcare facilities, correctional or detox facilities, and schools.
- Only adults 21+ (and patients over 18) can enter cannabis stores. Employees must be 21+.

Investing in Public Health and Safety

- > \$50 million/year in new tax revenue.
- 10% goes to a public health and education grant program, including for substance abuse prevention and treatment and youth services, including after-school and summer programs.
- 30% goes to a social equity fund, which can also be used for disadvantaged communities' needs.
- 10% goes to a public safety grants fund for grants to state and county agencies and private entities, including for training police to detect impaired drivers, crisis intervention services, mental health first aid training, and enforcement of cannabis and nuisance abatement law.
- Provides 5% of the funds each to the AG's drug nuisance abatement and anti-money laundering and organized crime units.

Public Education and Collecting Health Data

- By September 1, 2025, regulators will implement a comprehensive public health and education campaign, including on the health risks associated with cannabis and ways to protect children.
- The office will periodically implement additional public health and education campaigns.
- Signs must be posted in cannabis businesses, including about the dangers of DUI and penalties.
- Each consumer will be given a handout with information on how long impairment lasts, safe storage, recognizing cannabis use disorder, and potential adverse effects — including for younger adults, related to mental health, & related to pregnancy and breastfeeding.
- Mandates annual report with public health and safety data, including related to accidental ingestion by minors and cannabis-related crashes.

Cannabis prohibition ruins lives and makes cannabis control impossible.
It's time for a better approach: Regulation grounded in public health and safety.