



Hawaii - State Specific Information

Information provided is current as of December 21, 2025, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized - 2000 (SB 862)
Recreational Use	Not legal
Possession/Personal Use Specifics	Patients/caregivers can possess up to 4 ounces of "usable" cannabis and grow up to 10 plants.
	Recreational cannabis remains illegal, but possession of up to 3 grams has been decriminalized, resulting in a civil violation with a \$130 fine. Possession of more than 3 grams is a misdemeanor, with potential jail time and fines.

State Regulatory Agency Information

State Regulatory Agency	Office of Medical Cannabis Control and Regulation
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	Hawaii law HRS §329B prohibits drug testing applicants until a conditional job offer is made. While random testing is generally restricted to safety-sensitive roles, employers may test any employee based on reasonable suspicion of impairment or following a workplace accident. Employers are not required to accommodate medical cannabis use; companies may enforce zero-tolerance policies and terminate employees for a positive THC result, regardless of their medical patient status.
Safety Sensitive Positions	Hawaii lacks a statewide definition for safety-sensitive positions but follows federal DOT rules. The DOT defines these as jobs directly impacting public safety and transportation.
Privacy Laws	Requires employers to keep test results confidential, have a written policy, provide employees access to their results, obtain written consent before testing, and use certified laboratories for testing.