



Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

February 23, 2024

Committee: House Economic Matters

Bill: HB 805 - Cannabis - Licensee Locations - Restrictions

Position: Favorable with Amendments

Reason for Position:

The Maryland Municipal League (MML) supports House Bill 805, with important amendments, which makes alterations to some of the land use provisions pertaining to the location of cannabis businesses.

The 2023 legislation that established the framework for the cannabis industry in Maryland attempted to strike a balance between state policy priorities and local authority over land use decisions and HB 805 continues in that vein. While the bill does provide clarity around some of the aspects that had ambiguity, MML requests consideration of a few amendments that would assist local governments adequately integrate cannabis businesses into the community.

MML Amendments:

Page 3, line 19: (1) ~~500~~**1,000** feet of:

Page 3, line 25: (2) ~~1,000~~ **2,000** feet of another dispensary under this title.

Page 3, after line 25: **(3) 500 FEET OF AN AREA THAT IS CURRENTLY ZONED RESIDENTIAL.**

Page 4, line 6: (F) A POLITICAL SUBDIVISION MAY NOT ADOPT AN ORDINANCE ESTABLISHING A ZONING REQUIREMENT FOR A LICENSED GROWER CULTIVATING CANNABIS **EXCLUSIVELY** OUTDOORS THAT IS MORE RESTRICTIVE THAN ANY ZONING REQUIREMENTS THAT EXISTED ON JUNE 30, 2023, GOVERNING A HEMP FARM REGISTERED UNDER TITLE 14 OF THE AGRICULTURE ARTICLE IN THE POLITICAL SUBDIVISION.



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The bill clarifies that local governments cannot expand the distances articulated in the law between a dispensary and sensitive properties and other dispensaries. With this preemption in place, but the local option to reduce the distances still in effect, MML seeks to expand the maximum permitted distances in law to a more reasonable amount and add areas that are currently zoned residential to the list of sensitive areas.

Additionally, MML seeks an amendment that clarifies that the restriction placed on local governments prohibiting a zoning requirement on outdoor growers that is more restrictive than that imposed on hemp growers on June 30, 2023, be applied only to growers that cultivate cannabis exclusively outside. With limited and congested space in municipalities, there are examples of growers use both indoor and outdoor facilities to cultivate cannabis both indoors. Our intent is to differentiate between those entities that grow exclusively outside and those that grow both indoors and outdoors.

The provisions of HB 805, with the above amendments, should allow for municipal governments to meet the needs of their constituents and cannabis businesses. For this reason, the League respectfully requests that the committee provide House Bill 805 with a favorable report, with the above amendments.

FOR MORE INFORMATION CONTACT:

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