



February 18, 2025

The Honorable C. T. Wilson
Chair, House Economic Matters Committee
230
Taylor House Office Building
Annapolis, Maryland 21401

House Bill 12 – Cannabis – Sale and Distribution – Tetrahydrocannabinol Offenses
FAVORABLE

Dear Chair Wilson, Vice Chair Crosby, and Members of the House Economic Matters Committee:

I am writing on behalf of the Maryland Cannabis Administration (MCA) in SUPPORT of House Bill 12 – Cannabis – Sale and Distribution – Tetrahydrocannabinol Offenses.

HB12 is a departmental proposal from the Alcohol, Tobacco, and Cannabis Commission (ATCC) to authorize the officers and employees of the Field Enforcement Division to issue a citation to an unlicensed person who sells or distributes a product containing tetrahydrocannabinol (THC) beyond potency, packaging, or labeling requirements established under law or regulation. The MCA believes ATCC has a vital role in curbing the sale of unregulated, untested products, especially those containing intoxicating levels of THC, and supports this bill.

ATCC plays a significant role in protecting the public by investigating individuals and entities illegally selling intoxicating products. Following the passage of the Cannabis Reform Act (2023), the previously named Alcohol and Tobacco Commission was revised to include cannabis-related enforcements. Functionally, ATCC is authorized to be investigating and interrupting the illegal sale of alcohol, tobacco, *and* cannabis products. At present, while the ATCC does have authority for the issuance of a citation or other charging document regarding the illegal sale of intoxicating hemp or cannabis products, these citations are contingent on demonstration of impermissible levels of THC by laboratory testing. The provisions in HB 12 allow the ATCC to take the word of the retailers at face-value that these products are being offered in violation of the statutory intent of the General Assembly.

As the MCA and ATCC are partners on cannabis regulation and enforcement efforts, it is vital that ATCC can enforce State law. While the MCA licenses legal cannabis businesses and maintains the legal cannabis market, this piece of legislation would allow ATCC to seize or confiscate any THC-containing products that are offered or displayed for sale to consumers in an unlicensed business, or which violates the potency, packaging or labeling requirements as defined by the MCA. HB 12 would also allow the ATCC to charge individuals without a cannabis license with a citation or a misdemeanor with the potential to be fined up to \$5,000.

ATCC is essential in maintaining the health and safety of all Marylanders, including those under the age of 21 who may be unknowingly exposed to untested and unregulated intoxicating products. Allowing the enforcement of existing Maryland law will help ensure the overall health, safety, and security of both Maryland's small businesses and the public. For these reasons, the MCA respectfully requests a favorable report.

If you have any questions or would like to discuss this further, please contact me at andrew.garrison@maryland.gov, or Morgan T. Smith, Senior Policy Analyst, at morgant.smith@maryland.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'A.C. Garrison', with a horizontal line extending from the end of the signature.

Andrew C. Garrison
Chief of Policy & Government Affairs, Maryland Cannabis Administration