

**Written testimony - FAV - SB0299 - MCA.docx.pdf**

Uploaded by: Alison Butler

Position: FAV



January 30th, 2025

The Honorable Pamela Beidle  
Chair, Senate Finance Committee  
3E Miller Senate Office Building  
11 Bladen Street  
Annapolis, MD 21401

**Senate Bill 299 – Cannabis Agents – Registration – Security Guards**  
*FAVORABLE*

Dear Chair Beidle, Vice Chair Hayes, and Members of the Senate Finance Committee:

The Maryland Cannabis Administration (MCA) is submitting this letter of support for Senate Bill 299 – Cannabis Agents – Registration – Security Guards (SB0299).

SB0299 clarifies criminal history record check requirements for cannabis agents who provide security guard services to cannabis licensees and registrants. In Chapters 254/255 of 2023, the Cannabis Reform Act of 2023 (CRA), the General Assembly established that all cannabis agents must obtain a criminal history records check, which involves submitting two sets of fingerprints to the Central Repository at the time of application to the Administration. SB0299 provides that a cannabis agent who is employed to provide security guard services to a cannabis licensee or registrant does not need to obtain a criminal history records check if they are certified to provide security guard services under Business Occupations & Professions, §19-403, Annotated Code of Maryland.

In Chapter 763 (2023), the General Assembly expanded existing law to require that any individual who provides security guard services in Maryland must obtain certification through the Department of State Police (MSP). Additionally, it further toughened requirements by authorizing MSP to deny or revoke a security guard certification if an individual is found to have been convicted of a disqualifying crime under the Public Safety Article or a crime of violence under the Criminal Law Article. As a result, MSP's criminal history records check is more stringent than MCA's, rendering it unnecessary for agents to obtain separate fingerprints for MCA's registration process.

Under SB0299, a security guard would still register with MCA as a cannabis agent; however, it eliminates an unnecessary redundancy in statute for the security guard to submit fingerprints for both MCA agent registration and MSP certification. Instead MCA can use proof of MSP security guard certification to verify that the prospective agent is eligible to work on the premises of a cannabis licensee or registrant. SB0299 enables MCA to rely on MSP's fingerprinting requirements and robust security background checks to eliminate an extra hurdle for businesses and individuals who wish to provide security to cannabis licensees and registrants. MCA is happy to support SB0299 because it saves time and money for security guard businesses and agents, while streamlining the MCA agent registration process.

If you would like to discuss this further, please contact me at [andrew.garrison@maryland.gov](mailto:andrew.garrison@maryland.gov), or Alison Butler, Division Chief, Policy Implementation, at [alison.butler@maryland.gov](mailto:alison.butler@maryland.gov).

Sincerely,

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

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

# **2025 HB 299 Security Guard Background Checks Suppo**

Uploaded by: Ashlie Bagwell

Position: FAV



## **Senate Bill 299: Cannabis Agents—Registration—Security Guards**

On behalf of the Maryland Wholesale Cannabis Trade Association (CANMD) and Maryland Dispensary Association (MDDA)

Senate Finance Committee

**Support**

January 30, 2025

The Maryland Dispensary Association (MDDA) and the Maryland Wholesale Cannabis Trade Association (CANMD) appreciate the opportunity to provide comments in support of Senate Bill 299: Cannabis Agents—Registration—Security Guards. Together, our organizations represent a majority of the cannabis dispensary, processor, and grower licensees in Maryland.

Senate Bill 299 is a simple and straightforward bill. Cannabis agents who are employed to provide security services for a cannabis licensee or cannabis registrant as a security guard or by a security guard agency are not required to obtain a State or national criminal history records check if the cannabis agent is already registered with and has the same records on file with the Maryland State Police. We have consistently supported efforts that streamline processes without sacrificing safety standards. In fact, a number of years ago, we supported a similar regulatory change that allowed dispensary agents to move between dispensaries without having to get duplicative fingerprinting and background checks.

For this reason, we urge a favorable vote on Senate Bill 299.

**Bill 299 Testimony.pdf**

Uploaded by: EVAN AVNET

Position: FAV



Maryland Investigators and Security Association  
2326 Goddard Parkway, Suite B  
Salisbury, MD 21801  
(443) 367-9915

Thank you for allowing me to comment on this issue. My name is Evan Avnet, and I serve as the President of the Maryland Investigators and Security Association, which represents numerous licensed private detective and security agencies across Maryland.

We have been facing an ongoing challenge that we hope this bill will address. Since the establishment of the Maryland Cannabis Administration (MCA), formerly known as the Maryland Medical Cannabis Commission, the security industry has encountered escalating costs associated with providing services to the cannabis sector.

Our industry is licensed by the Maryland State Police Licensing Division in accordance with COMAR regulations. However, MCA has gradually expanded its authority beyond its original mandate of regulating the cannabis industry to include oversight of the security industry. Currently, our agencies must obtain licensure from the Maryland State Police Licensing Division, which involves licensing fees and fingerprinting for the agency licensee. Most agency licensees are former police officers, as it is required that they have five years of prior law enforcement experience or five years as a private detective to qualify for a license. Additionally, each individual security officer employed by our agencies must be fingerprinted and licensed.

MCA now requires an additional "registration"—which I will refer to as a license—for each agency at an added cost, along with fingerprinting of corporate officers. Failure to register with MCA precludes agencies from conducting business with the cannabis industry. Furthermore, MCA mandates that each security officer be fingerprinted and licensed by them. The security agency must also submit operational and security plans, which are subject to Public Information Act requests. Additionally, any security officer who has not been licensed within six months of the agency's reapplication must be re-fingerprinted and re-licensed, even if their MCA card has not expired.

No other industry in Maryland is subjected to dual licensure by two separate state agencies for performing the same function. This re-licensing requirement, termed registration by MCA, duplicates the existing requirements of MSP, thereby imposing unnecessary costs on security agencies for services they are already licensed to perform. These redundant costs, including license fees, security officer licenses, and fingerprinting fees, create a prohibitive financial burden.

We seek your assistance in mitigating these redundant costs to the security industry, enabling us to continue providing essential security services to protect the patrons and staff of these locations.



Evan Avnet  
President  
Maryland Investigators and Security Association



# **MCA Testimony Kandt Security.pdf**

Uploaded by: Obiajulu Arah

Position: FAV



## **K & T SECURITY SERVICES**

**Professional Service Always**

### **Testimony in Support of Senate Bill 299**

Submitted on Behalf of Obiajulu Arah, CEO, K&T Security

Chairwoman Griffith, Vice Chair Klausmeier, and members of the Senate Finance Committee:

Thank you for the opportunity to provide testimony in support of Senate Bill 299. My name is Obiajulu Arah, and I am the CEO of K&T Security, a woman-owned, minority-owned business based in Laurel, Maryland. We specialize in professional security services across various industries, including cannabis, healthcare, education, and commercial enterprises.

Senate Bill 299 addresses an important issue that has been unnecessarily burdensome for Maryland's licensed security professionals and cannabis licensees. As written, the proposed updates to COMAR provide critical regulatory relief by eliminating the duplicative fingerprinting and background check requirements imposed by the Medical Cannabis Administration (MCA) for security guards who are already cleared and licensed under Maryland's Security Guard regulations.

### **Rationale for Support**

#### **1. Elimination of Redundancies**

Security professionals licensed under Title 19 of the Business Occupations and Professions Article are already subject to rigorous background checks and fingerprinting through the Maryland State Police. Requiring them to undergo another criminal history records check through MCA is redundant, costly, and unnecessary. Senate Bill 299 ensures that those who are already authorized to provide security guard services will not face duplicative screening, streamlining regulatory processes without compromising public safety.

#### **2. Cost Reduction for Cannabis Licensees**

The cannabis industry in Maryland is highly regulated, with many licensees already facing significant costs to maintain compliance. By removing the MCA's additional background check and fingerprinting requirements, this bill helps reduce expenses for licensees without sacrificing security standards. These savings can be reinvested into other operational priorities, further supporting the growth of Maryland's cannabis industry.

#### **3. Alignment of Standards Across Industries**

Security professionals should not face inconsistent requirements depending on the industries they serve. This bill brings parity to the regulatory framework by aligning security requirements for cannabis businesses with those in other industries. It reinforces that the existing clearance process under Title 19 is sufficient to uphold the safety and security of cannabis licensees, their employees, and the broader public.

### **Conclusion**

On behalf of K&T Security and other Maryland-based security agencies, I urge the Committee to issue a **favorable report** for Senate Bill 299. This legislation offers commonsense regulatory reform by reducing unnecessary administrative burdens while maintaining the integrity and professionalism of security services provided to cannabis licensees.

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**Laurel, MD 20707**

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Thank you for your time and consideration.

Sincerely,  
Obiajulu Arah  
CEO, K&T Security

**Office:202.969.0010**  
**Direct: 202.599.1953**

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# **SB 0299 Support.pdf**

Uploaded by: Robert Davis

Position: FAV

Good afternoon my name is Robert Davis R.Ph owner of OC botanicals LLC doing business as hi-tide dispensary licensed under the Department of Health in Maryland.

I am in full support of SB 0299. This legislation will save wasted time energy and money having multiple background checks done in the same time periods. As a licensee in the state of Maryland it is not uncommon for me and my workers to have to do two or three background checks for different state requirements all within the same six month timeframe. This legislation would be helpful to decrease some of this monetary waste and take some of the pressure off of the agencies that are tasked with constantly repeating background checks.

Sincerely,

*Robert H Davis R. Ph*

OC Botanicals LLC  
Owner / Clinical Director

**SB 299 - Carozza Testimony\_FINAL.pdf**

Uploaded by: Senator Mary Beth Carozza

Position: FAV

MARY BETH CAROZZA  
Legislative District 38  
Somerset, Wicomico,  
and Worcester Counties

Education, Energy, and  
the Environment Committee

Executive Nominations Committee



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**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

**January 30, 2025**

**The Senate Finance Committee**

**SB 299 – Cannabis Agents – Registration – Security Guards**  
**Statement of Support by Bill Sponsor Senator Mary Beth Carozza**

Thank you Chair Beidle, Vice-Chair Hayes, and members of the distinguished Senate Finance Committee for this opportunity to present Senate Bill 299 – Cannabis Agents – Registration – Security Guards. This legislation would eliminate an unnecessary redundancy in statute which currently requires those in the security guard industry to submit fingerprints or a national criminal history records check to the Maryland Cannabis Administration (MCA) even if they already are certified by the Maryland State Police (MSP).

This redundancy of both MSP and MCA regulating the security guard industry was originally brought to my attention by Evan Avnet, the President of the Maryland Investigators and Security Association (MISA), who operates Tactical American Security Consulting (USTASC) in Salisbury. He brought several issues to my attention, including:

- 1) The security guard industry is the only profession in Maryland regulated by two different Maryland entities (MSP and MCA) to perform the same function;
- 2) MCA requires a security plan, including emergency protocol, be submitted as part of the completed registration form, with no indication of how the security plan would be reviewed or safeguarded; and
- 3) MCA requires fingerprinting and criminal history records check be submitted, which are already submitted to MSP.

Through extensive conversations throughout the Interim with the MCA, Senator Feldman, and President Avnet, we identified that the third concern – the fingerprint and background checks – must be addressed with a statutory change, resulting in the legislation before you. Should SB 299 be implemented, MCA would use proof of MSP security guard certification to verify that the prospective agent is eligible to work on the premises of a cannabis licensee or registrant.

I, along with President Avnet, will continue to work with the MCA to address the remaining concerns through the regulatory process. The MCA has already suggested regulatory changes to remove the emergency plan requirement, and the public comment period for those changes ended on January 27<sup>th</sup>, 2025.

As many of you know, following the passage of Question 4 during the 2022 elections, the Maryland General Assembly was required to establish the statutory framework for a legal cannabis industry in Maryland. The Maryland General Assembly passed and Governor Moore signed the Cannabis Reform Act of 2023 (Chapters 254/255 of 2023) into law, which required all cannabis agents to submit fingerprints to the MCA.

Under SB 299, a security guard would still register with MCA as a cannabis agent; however, it eliminates an unnecessary redundancy for the security guard to submit fingerprints for both MCA agent registration and MSP certification.

The Maryland Cannabis Administration supports SB 299.

When any new industry is created, unforeseen issues are identified within the first few years of implementation that must be addressed to remove unnecessary burdens and for the industry to work effectively. This requirement for MCA to gather fingerprints and criminal history checks is an unnecessary burden on both the security guard industry and MCA.

I thank you for your kind attention and consideration, and I respectfully request a favorable and very swift report on SB 299.



# **Witness Statement for Senate Bill 299 - Security P**

Uploaded by: Taylor Green

Position: FWA

**Witness Statement for Senate Bill 299**  
**Maryland Senate Finance Committee**  
**Date: 28-01-2025**

Dear Chair and Members of the Finance Committee,

My name is Taylor Green, and I am submitting this testimony on behalf of Ember DMV LLC (Ember), a newly established micro dispensary and social equity applicant preparing to launch operations. We are deeply invested in Maryland's cannabis industry's success and are committed to ensuring equitable opportunities for businesses like ours. Thank you for the chance to provide witness testimony on Senate Bill 299, titled *Cannabis Agents Registration Security Guard*.

Ember's concerns regarding Senate Bill 299 focus on the operational and regulatory challenges associated with the staffing cap for micro dispensaries, particularly security personnel. As a social equity applicant, we can only employ 10 individuals under current Maryland Cannabis Administration (MCA) regulations. This cap already restricts our ability to adequately staff our dispensary and the requirement that security guards register as cannabis agents further compounds these limitations.

Upon reviewing Senate Bill 299, we noted the following language in **Article – Alcoholic Beverages and Cannabis, Section 36–501**:

“(a) A cannabis agent must be registered with the Administration before the agent may volunteer or work for a cannabis licensee or cannabis registrant.

(b) A cannabis agent registration is valid for 2 years.

(c) (2) A cannabis agent who is **employed** to provide security services for a cannabis licensee or cannabis registrant as a security guard or by a security guard agency... is not required to obtain a State or national criminal history records check...”

While this provision removes certain burdens for security guards, it still mandates their registration as cannabis agents, potentially including them within the staffing cap. This creates significant operational hurdles for micro dispensaries like Ember. If security guards are counted within the 10-employee cap, it limits our ability to hire critical staff such as delivery drivers, virtual budtenders, compliance staff, and other essential personnel. Owners are also included in the cap as well. Furthermore, the requirement for owners to register as cannabis agents further reduces the number of employees available to us. It is also unclear whether independent contractors count in this 10-employee cap, as the regulations state that we may only “Employ 10 individuals.” This language includes part-time employees. Separately, other reports and documents from the MCA state that micro-dispensaries can only have 10 agents, which causes conflict regarding the interpretation of the statutes. Therefore, if micro dispensaries can only have 10 agents, then a security guard would count in this cap and further handicap us from

being profitable. As a micro dispensary, we essentially have close to all the same expenses as a standard dispensary.

To address these challenges, I respectfully propose the following amendments and clarifications to Senate Bill 299:

1. **Exemption of Security Guards from Staffing and/or Agent Caps:** Security guards, while required to register as cannabis agents, should not count toward the 10-employee limit or 10-agent cap imposed on micro dispensaries. This exemption would enable businesses like Ember to allocate staff more effectively, ensuring both compliance and operational viability.
2. **Clarification of Independent Contractor Status:** The bill should explicitly state whether security guards employed as independent contractors are excluded from staffing or agent caps. Allowing independent contractors to provide security services without impacting the staffing cap would offer much-needed flexibility for micro dispensaries.
3. **Consistent Definitions and Regulatory Language:** The MCA, related legislation, and other publications by the MCA should provide clear, consistent definitions of terms such as "independent contractor" and "employee." This would prevent conflicting interpretations and allow businesses to plan their operations with greater certainty.

The social equity program was designed to level the playing field in Maryland's cannabis industry. However, barriers such as the 10-employee staffing or agent cap and including security guards within that limit disproportionately hinder social equity applicants. These restrictions directly impact our ability to achieve profitability, especially given that the operational needs of micro dispensaries are almost no different from those of a standard dispensary. We have conducted research and have a conservative estimate that the business will cost us 1M dollars to run for the first year, and we have not even factored in salaries. We estimate the actual cost to run this business within the first year is between \$1.5 – 2 Million dollars.

For example, our pro forma analysis already highlights significant challenges in staffing delivery drivers and ensuring we have enough personnel at the micro dispensary's business location to handle compliance issues, answer customer inquiries via phone or email, ensure compliance with monitoring, packaging deliveries, and more, who are critical for our business model. We already have an issue with covering shift rotations and breaks. Including security guards in the staffing cap further limits our capacity to hire sufficient personnel to sustain operations, cover shift rotations, and meet customer demand.

I urge the Committee to adopt these recommendations and ensure Senate Bill 299 supports, rather than undermines, the success of micro dispensaries and social equity applicants. Thank you for your attention to this matter. I can provide further information or participate in additional discussions as needed.

Sincerely,  
Taylor Green, J.D., M.B.A  
Chief Operating Officer, Ember  
tgreen@emberdmv.com

Attachment A: Screenshot of Regulations Regarding 10 Employee Cap

Attachment B: Report Stating 10 Agent Cap

## **Attachment A: Screenshot of Regulations Regarding 10 Employee Cap**

14.17.07.07

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**.07 Micro Dispensary License.**

A. A micro dispensary license authorizes the licensee to operate a delivery service as defined in COMAR 14.17.01.

B. A micro dispensary may not:

- (1) Operate a physical storefront; or
- (2) Employ more than 10 individuals.

## Attachment B: Report Stating 10 Agent Cap



01\_Interim Report\_  
The Ability of Micro

Direct link to the report:

[https://cannabis.maryland.gov/Documents/2024\\_PDF\\_Files/Legislative%20Reports/01\\_Interim%20Report\\_%20The%20Ability%20of%20Micro%20Dispensaries%20to%20Safely%20and%20Securely%20Deliver%20Cannabis%20in%20Maryland-FINAL.pdf](https://cannabis.maryland.gov/Documents/2024_PDF_Files/Legislative%20Reports/01_Interim%20Report_%20The%20Ability%20of%20Micro%20Dispensaries%20to%20Safely%20and%20Securely%20Deliver%20Cannabis%20in%20Maryland-FINAL.pdf)

***Please note that the relevant text has been highlighted in the attachment. However, if the attachment does not open, we have provided screenshots of the report's language below.***

A micro dispensary license is a license issued in accordance with § 36–401(c)(2), Alcoholic Beverages and Cannabis Article, Annotated Code of Maryland. A micro dispensary license authorizes the holder to operate a service that sells and delivers cannabis or cannabis products without a physical storefront, **provided that the business employs not more than 10 employees.**

### *Limit on Delivery Agents*

- **The CRA limits micro dispensaries to 10 or fewer agents.**
- **Due to the limits on number of licenses (10) and employees per licensee (10), a total of 100 or fewer delivery agents may be in operation statewide. The small number of potential businesses and agents will make the new operations easier for MCA to oversee in the short term.**