

# HOUSE BILL 1339

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By: **Delegate Heller**

Introduced and read first time: February 18, 2009

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Issues Relating to Medical Marijuana in Maryland**

3 FOR the purpose of establishing the Task Force to Study Issues Relating to Medical  
4 Marijuana in Maryland; providing for the composition and chair of the Task  
5 Force; requiring the Department of Health and Mental Hygiene to provide staff  
6 for the Task Force; providing that members of the Task Force may not receive  
7 certain compensation but are entitled to certain reimbursement for certain  
8 expenses; requiring the Task Force to study certain issues regarding medical  
9 marijuana in the State and to make certain recommendations; requiring the  
10 Task Force to submit a certain report to the Governor and General Assembly on  
11 or before a certain date; providing for the termination of this Act; and generally  
12 relating to the Task Force to Study Issues Relating to Medical Marijuana in  
13 Maryland.

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That:

16 (a) There is a Task Force to Study Issues Relating to Medical Marijuana in  
17 Maryland.

18 (b) The Task Force consists of the following members:

19 (1) one member of the Senate of Maryland, appointed by the President  
20 of the Senate;

21 (2) one member of the House of Delegates, appointed by the Speaker of  
22 the House;

23 (3) the Secretary of Health and Mental Hygiene, or the Secretary's  
24 designee;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   (4)    the State Superintendent of Police, or the State Superintendent's  
2   designee; and

3                   (5)    the following eight members, appointed by the Governor:

4                           (i)    one representative of the Johns Hopkins School of Medicine  
5   or clinical staff who specializes in internal medicine, neurology, ophthalmology,  
6   HIV/AIDS, or oncology;

7                           (ii)   one representative of the University of Maryland School of  
8   Medicine or clinical staff who specializes in internal medicine, neurology,  
9   ophthalmology, HIV/AIDS, or oncology;

10                   (iii)   two State's Attorneys, of whom one represents a large  
11   county and one represents a mid-sized county;

12                   (iv)    one public defender; and

13                   (v)    three members of the general public who have experience  
14   with medical marijuana or direct knowledge of the issues relating to medical  
15   marijuana.

16           (c)    The Governor shall designate the chair of the Task Force.

17           (d)    The Department of Health and Mental Hygiene shall provide staff for the  
18   Task Force.

19           (e)    A member of the Task Force:

20                   (1)    may not receive compensation as a member of the Task Force; but

21                   (2)    is entitled to reimbursement for expenses under the Standard  
22   State Travel Regulations, as provided in the State budget.

23           (f)    The Task Force shall:

24                   (1)    study and recommend whether purchasing marijuana with a  
25   recommendation from a health care provider should be the law in the State;

26                   (2)    evaluate whether the medical necessity sentence mitigation  
27   provisions for criminal conviction for possession of marijuana or drug paraphernalia  
28   related to marijuana enacted under Chapter 442 of the Acts of the General Assembly  
29   of 2003:

30                           (i)    are effective, fair, and equitably applied across all  
31   jurisdictions in the State; and

(ii) create a false sense of legality or reliance among individuals who utilize medical marijuana in the State;

(3) evaluate, to the extent practicable, the costs, benefits, efficacy, and utilization of laws in other states that authorize the limited therapeutic use of marijuana from the perspective of:

(i) medical care providers;

(ii) the criminal justice system; and

(iii) patients;

(4) study the ways and places that individuals needing limited therapeutic amounts of marijuana can legally procure marijuana of good quality and the level of quality of marijuana currently being sold in the State; and

(5) study the feasibility of having Johns Hopkins University School of Medicine and the University of Maryland School of Medicine, in collaboration with the National Institutes of Health or other federal, State, or private entities, establish research programs to study the medical and social issues relating to the therapeutic use of marijuana.

(g) The Task Force, after consideration of the issues under subsection (f) of this section, may make a recommendation regarding the maintenance or repeal of the State's law enacted under Chapter 442 of the Acts of the General Assembly of 2003 or the enactment of other laws regarding medical marijuana in the State.

(h) On or before December 31, 2009, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2009. It shall remain effective for a period of 6 months and, at the end of December 31, 2009, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.