

HOUSE BILL 892

P1
HB 1423/16 – JUD

8lr2191

By: **Delegates Impallaria, Ciliberti, Folden, McComas, and McDonough**

Introduced and read first time: February 5, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Marijuana Laws – Full Disclosure of Legal, Employment, and Health Risks –**
3 **Advertisement of Marijuana and Medical Cannabis**

4 FOR the purpose of prohibiting a provider, dispensary, processor, or grower from
5 advertising marijuana or medical cannabis in a certain manner; requiring the Office
6 of the Attorney General, at a certain time, to establish a certain system to notify the
7 public of certain risks related to any law that reduces the penalties for or legalizes
8 the use of marijuana; and generally relating to marijuana laws.

9 BY adding to

10 Article – Health – General
11 Section 13–3317
12 Annotated Code of Maryland
13 (2015 Replacement Volume and 2017 Supplement)

14 BY adding to

15 Article – State Government
16 Section 6–111
17 Annotated Code of Maryland
18 (2014 Replacement Volume and 2017 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Health – General**

22 **13–3317.**

23 **A CERTIFYING PROVIDER, DISPENSARY, PROCESSOR, OR GROWER MAY NOT**
24 **ADVERTISE MARIJUANA OR MEDICAL CANNABIS IN ANY MANNER NOT ALLOWED**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 UNDER FEDERAL LAW FOR ADVERTISEMENTS OF TOBACCO OR TOBACCO PRODUCTS.

2 **Article – State Government**

3 **6–111.**

4 (A) AT LEAST 90 DAYS BEFORE THE IMPLEMENTATION OF ANY LAW THAT
5 REDUCES THE PENALTIES FOR OR LEGALIZES THE USE OF MARIJUANA, THE OFFICE
6 OF THE ATTORNEY GENERAL SHALL ESTABLISH A SYSTEM TO NOTIFY THE PUBLIC
7 OF THE RISKS RELATED TO THE CHANGES IN THE LAW.

8 (B) THE SYSTEM REQUIRED UNDER SUBSECTION (A) OF THIS SECTION
9 SHALL INCLUDE THE CREATION OF A WEBSITE AND PUBLIC SERVICE
10 ANNOUNCEMENTS FOR RADIO, TELEVISION, NEWSPAPERS, AND BILLBOARDS,
11 NOTIFYING THE PUBLIC THAT:

12 (1) REGARDLESS OF THE CHANGE IN MARYLAND LAW, A PERSON IS
13 STILL SUBJECT TO ARREST FOR ACTIVITY RELATING TO MARIJUANA BY THE
14 FEDERAL GOVERNMENT, ESPECIALLY IF THE ACTIVITY OCCURS ON FEDERAL
15 PROPERTY OR IN FEDERAL FACILITIES, SUCH AS MILITARY BASES, FEDERAL
16 OFFICES, FEDERAL PARKS, AIRPORTS, AND MARINE TERMINALS;

17 (2) TESTING POSITIVE FOR MARIJUANA USE CAN RESULT IN JOB
18 LOSS, ESPECIALLY IF THE JOB REQUIRES STATE LICENSING SUCH AS THOSE IN THE
19 MEDICAL AND TRANSPORTATION INDUSTRIES;

20 (3) IT WILL STILL BE UNLAWFUL FOR BANKS AND BUSINESSES TO DO
21 BUSINESS WITH SOMEONE WHO IS RECEIVING PROCEEDS RELATED TO MARIJUANA;

22 (4) FILING A FEDERAL INCOME TAX RETURN INVOLVING THE RECEIPT
23 OF PROCEEDS RELATED TO MARIJUANA CAN LEAD TO PROSECUTION FOR
24 PROFITING FROM A FEDERALLY ILLEGAL BUSINESS, WHILE FAILURE TO FILE AN
25 INCOME TAX RETURN CAN ALSO LEAD TO PROSECUTION; AND

26 (5) THERE ARE HEALTH RISKS ASSOCIATED WITH THE USE OF
27 MARIJUANA.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2018.