

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 736 (Delegate Hill, *et al.*)
Health and Government Operations

Natalie M. LaPrade Medical Cannabis Commission - Prohibitions on Former
Employees and Commissioners

This bill prohibits a former employee of the Natalie M. LaPrade Medical Cannabis Commission and a former commissioner, for the one-year period immediately after leaving commission employment or the commission, from (1) being an owner or employee of a licensed medical cannabis entity or (2) having an official relationship with a licensed medical cannabis entity.

Fiscal Summary

State Effect: The bill does not materially affect State finances but may have an operational impact on the commission, as discussed below.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The Natalie M. LaPrade Medical Cannabis Commission is responsible for implementation of the State's medical cannabis program, which is intended to make medical cannabis available to qualifying patients in a safe and effective manner. The program allows for the licensure of growers, processors, and dispensaries and the registration of their agents, as well as registration of independent testing laboratories and their agents. There is a framework to certify health care providers (including physicians, dentists, podiatrists, nurse practitioners, and nurse midwives), qualifying patients, and their

caregivers to provide qualifying patients with medical cannabis legally under State law via written certification.

A constitutional officer or secretary of a principal department of the Executive Branch of the State government may not (1) be an owner or employee of a licensed medical cannabis entity or (2) have an official relationship with a licensed medical cannabis entity. However, a constitutional officer or secretary of a principal department of the Executive Branch of the State government may retain a license obtained prior to being elected or appointed.

A former member of the General Assembly may not (1) be an owner or employee of a licensed medical cannabis entity or (2) have an official relationship with a licensed medical cannabis entity for the one-year period immediately after leaving office.

State Fiscal Effect: Since marijuana is still illegal at the federal level and the legal medical cannabis industry is relatively new, the commission anticipates that the bill's restrictions may further limit the commission's ability to identify and hire skilled and experienced employees.

Additional Information

Prior Introductions: None.

Cross File: SB 552 (Senator Lee, *et al.*) - Judicial Proceedings.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 22, 2019
md/jc

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