

Article - Health - General

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§13–3313.

(a) Any of the following persons acting in accordance with the provisions of this subtitle may not be subject to arrest, prosecution, revocation of mandatory supervision, parole, or probation, or any civil or administrative penalty, including a civil penalty or disciplinary action by a professional licensing board, or be denied any right or privilege, for the medical use of or possession of medical cannabis:

(1) A qualifying patient:

(i) In possession of an amount of medical cannabis determined by the Commission to constitute a 30–day supply; or

(ii) In possession of an amount of medical cannabis that is greater than a 30–day supply if the qualifying patient’s certifying provider stated in the written certification that a 30–day supply would be inadequate to meet the medical needs of the qualifying patient;

(2) A grower licensed under § 13–3306 of this subtitle or a grower agent registered under § 13–3306 of this subtitle;

(3) A certifying provider;

(4) A caregiver;

(5) An academic research representative purchasing medical cannabis under § 13–3304.1 of this subtitle;

(6) A dispensary licensed under § 13–3307 of this subtitle or a dispensary agent registered under § 13–3308 of this subtitle;

(7) A processor licensed under § 13–3309 of this subtitle or a processor agent registered under § 13–3310 of this subtitle;

(8) A hospital, medical facility, or hospice program where a qualifying patient is receiving treatment;

(9) A third–party vendor authorized by the Commission to test, transport, or dispose of medical cannabis, medical cannabis products, or medical cannabis waste under the provisions of this subtitle; or

(10) Designated school personnel authorized to administer medical cannabis to a student in accordance with the guidelines established under § 7–446 of the Education Article unless the act or omission constitutes gross negligence or wanton or willful misconduct.

(b) (1) A person may not distribute, possess, manufacture, or use cannabis that has been diverted from a qualifying patient, a caregiver, an academic research representative, a licensed grower, or a licensed dispensary.

(2) A person who violates this subsection is guilty of a felony and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$10,000 or both.

(3) The penalty under this subsection is in addition to any penalties that a person may be subject to for manufacture, possession, or distribution of cannabis under the Criminal Law Article.

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