

HOUSE BILL 1147

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3lr1435

By: **Delegates Mangione, Chisholm, Ghrist, and McComas**

Introduced and read first time: February 10, 2023

Assigned to: Economic Matters and Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Cannabis Programs – Cannabis–Induced Psychosis and THC**
3 **Concentration Limit**

4 FOR the purpose of requiring a certain cannabis oversight agency to, by regulation,
5 establish a monitoring and prevention procedure to ensure that individuals who have
6 been diagnosed with cannabis–induced psychosis cannot purchase cannabis or
7 cannabis products through the State’s medical cannabis program or adult–use
8 cannabis program; requiring the cannabis oversight agency to, by regulation,
9 prohibit any cannabis or cannabis product sold through the State’s adult–use
10 cannabis program from containing greater than a certain concentration of
11 delta–9–tetrahydrocannabinol; and generally relating to cannabis.

12 BY adding to

13 Article – Health – General
14 Section 23–101 through 23–103 to be under the new title “Title 23. Cannabis”
15 Annotated Code of Maryland
16 (2019 Replacement Volume and 2022 Supplement)

17 BY repealing and reenacting, without amendments,

18 Article – Health – General
19 Section 13–3302(a) through (c)
20 Annotated Code of Maryland
21 (2019 Replacement Volume and 2022 Supplement)

22 BY adding to

23 Article – Health – General
24 Section 13–3302(i)
25 Annotated Code of Maryland
26 (2019 Replacement Volume and 2022 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health – General**

4 **TITLE 23. CANNABIS.**

5 **23-101.**

6 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS
7 INDICATED.

8 (B) (1) “CANNABIS” MEANS THE PLANT CANNABIS SATIVA L. AND ANY
9 PART OF THE PLANT, INCLUDING ALL DERIVATIVES, EXTRACTS, CANNABINOIDS,
10 ISOMERS, ACIDS, SALTS, AND SALTS OF ISOMERS, WHETHER GROWING OR NOT, WITH
11 A DELTA-9-TETRAHYDROCANNABINOL CONCENTRATION GREATER THAN 0.3% ON A
12 DRY WEIGHT BASIS.

13 (2) “CANNABIS” DOES NOT INCLUDE HEMP AS DEFINED IN § 14-101
14 OF THE AGRICULTURE ARTICLE.

15 (C) “CANNABIS OVERSIGHT AGENCY” MEANS THE STATE AGENCY THAT
16 OVERSEES THE STATE’S MEDICAL CANNABIS PROGRAM AND ADULT-USE CANNABIS
17 PROGRAM.

18 (D) “CANNABIS PRODUCTS” MEANS PRODUCTS THAT ARE COMPOSED OF
19 CANNABIS, CANNABIS CONCENTRATE, OR CANNABIS EXTRACT AND OTHER
20 INGREDIENTS AND ARE INTENDED FOR USE OR CONSUMPTION, INCLUDING EDIBLE
21 PRODUCTS, OINTMENTS, AND TINCTURES.

22 **23-102.**

23 THE CANNABIS OVERSIGHT AGENCY SHALL, BY REGULATION, ESTABLISH A
24 MONITORING AND PREVENTION PROCEDURE TO ENSURE THAT INDIVIDUALS WHO
25 HAVE BEEN DIAGNOSED WITH CANNABIS-INDUCED PSYCHOSIS CANNOT PURCHASE
26 CANNABIS OR CANNABIS PRODUCTS THROUGH THE STATE’S MEDICAL CANNABIS
27 PROGRAM OR ADULT-USE CANNABIS PROGRAM.

28 **23-103.**

29 THE CANNABIS OVERSIGHT AGENCY SHALL, BY REGULATION, PROHIBIT ANY
30 CANNABIS OR CANNABIS PRODUCT SOLD THROUGH THE STATE’S ADULT-USE
31 CANNABIS PROGRAM FROM CONTAINING A DELTA-9-TETRAHYDROCANNABINOL
32 CONCENTRATION GREATER THAN 15%.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
2 as follows:

3 **Article – Health – General**

4 13–3302.

5 (a) There is a Natalie M. LaPrade Medical Cannabis Commission.

6 (b) The Commission is an independent commission that functions within the
7 Department.

8 (c) The purpose of the Commission is to develop policies, procedures, guidelines,
9 and regulations to implement programs to make medical cannabis available to qualifying
10 patients in a safe and effective manner.

11 **(I) THE COMMISSION SHALL, BY REGULATION, ESTABLISH A MONITORING**
12 **AND PREVENTION PROCEDURE TO ENSURE THAT NO INDIVIDUAL WHO HAS BEEN**
13 **DIAGNOSED WITH CANNABIS-INDUCED PSYCHOSIS MAY PURCHASE MEDICAL**
14 **CANNABIS.**

15 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take
16 effect October 1, 2023, contingent on the taking effect of Chapter ___ (S.B. 516) (H.B. 556)
17 of the Acts of the General Assembly of 2023. If Section 1 of this Act takes effect, Section 2
18 of this Act, with no further action required by the General Assembly, shall be abrogated
19 and of no further effect.

20 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this
21 Act, this Act shall take effect October 1, 2023.