

Article - Alcoholic Beverages and Cannabis

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§36–1101.

(a) A cannabis licensee may not sell, transfer, or deliver cannabis or cannabis products unless the licensee verifies by means of a valid driver's license or other government-issued photo identification containing the bearer's date of birth that:

- (1) for adult-use cannabis, the consumer is at least 21 years old; or
- (2) for medical cannabis, the patient or caregiver is:
 - (i) registered with the Administration; and
 - (ii) at least 18 years old.

(b) (1) (i) Except as provided in subparagraph (ii) of this paragraph, a licensee that sells, transfers, or delivers cannabis or cannabis products in violation of subsection (a) of this section is subject to a civil penalty of:

1. \$500 for a first violation;
2. \$1,000 for a second violation occurring within 24 months after the first violation; and
3. \$5,000 for each subsequent violation occurring within 24 months after the immediately preceding violation.

(ii) A violation of subsection (a) of this section that occurs more than 24 months after the immediately preceding violation shall be treated as a first violation.

(2) The Administration may deny a cannabis license to an applicant, reprimand a cannabis licensee, or suspend or revoke a cannabis license if the applicant or licensee violates subsection (a) of this section two or more times in a 24-month period.

(3) In a hearing for an alleged violation of this section, it is a defense that an agent of the defendant examined the consumer's, patient's, or caregiver's driver's license or other valid identification issued by a governmental unit that

positively identified the consumer, patient, or caregiver as meeting the minimum age specified in subsection (a) of this section.

(c) (1) A cannabis licensee may not:

(i) sell, transfer, or deliver cannabis to an individual who is visibly intoxicated;

(ii) offer cannabis or cannabis products as a prize, premium, or consideration for a lottery, contest, game of chance, game of skill, or competition of any kind; or

(iii) conduct direct-to-consumer Internet sales of adult-use cannabis on or before July 1, 2025.

(2) A cannabis licensee that violates paragraph (1) of this subsection is subject to a fine not exceeding \$1,000, suspension or revocation of a license, or both.

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