

Article - Alcoholic Beverages and Cannabis

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§36–204.

(a) (1) Subject to paragraph (2) of this subsection, the Administration shall establish and maintain a State cannabis testing laboratory.

(2) (i) On or before July 1, 2023, the Maryland Department of Agriculture or the Maryland Department of Health may enter into a memorandum of understanding with the Administration to test cannabis at an existing State-owned laboratory if doing so would be a more economic and efficient alternative to the establishment of a testing laboratory under paragraph (1) of this subsection.

(ii) If the Maryland Department of Agriculture or the Maryland Department of Health and the Administration determine that co-locating cannabis testing at an existing State-owned laboratory is not operationally feasible, sufficient funding shall be provided in the annual budget to comply with paragraph (1) of this subsection.

(b) The State cannabis testing laboratory is responsible for:

(1) developing and maintaining a cannabis laboratory reference library that contains cannabis testing methodologies in the areas of:

- (i) potency;
- (ii) homogeneity;
- (iii) detection and quantitation of contaminants; and
- (iv) solvents;

(2) establishing standard operating procedures for sample collection, preparation, and analysis of cannabis by independent testing laboratories;

(3) conducting proficiency testing of independent testing laboratories;

(4) remediating problems with independent testing laboratories;

(5) conducting compliance testing on cannabis samples analyzed by independent testing laboratories; and

(6) identifying and detecting the presence and purity of cannabis, alcohol, and tobacco in samples or seized contraband in support of the regulatory authority of the Commission.

(c) Independent testing laboratories licensed under § 36–408 of this title shall provide materials for the cannabis laboratory reference library.

(d) The State cannabis testing laboratory shall hold medical and adult–use cannabis testing to the same standards.

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