

Article - Alcoholic Beverages and Cannabis

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§36–405.

(a) A political subdivision may:

(1) establish reasonable zoning requirements for cannabis businesses; and

(2) decide how to distribute its allocation of revenue under § 2–1302.2 of the Tax – General Article.

(b) A political subdivision may not:

(1) establish zoning or other requirements that unduly burden a cannabis licensee;

(2) impose licensing, operating, or other fees or requirements on a cannabis licensee that are disproportionately greater or more burdensome than those imposed on other businesses with a similar impact on the area where the cannabis licensee is located;

(3) prohibit transportation through or deliveries within the political subdivision by cannabis businesses located in other political subdivisions;

(4) prevent an entity whose license may be converted under § 36–401(b)(1)(ii) of this subtitle and that is in compliance with all relevant medical cannabis regulations from being granted the license conversion; or

(5) negotiate or enter into an agreement with a cannabis licensee or an applicant for a cannabis license requiring that the cannabis licensee or applicant provide money, donations, in-kind contributions, services, or anything of value to the political subdivision.

(c) The use of a facility by a cannabis licensee is not required to be submitted to, or approved by, a county or municipal zoning board, authority, or unit if the facility:

(1) was properly zoned and operating on or before January 1, 2023;
or

(2) is used by a grower, processor, or dispensary that:

1, 2022; and

- (i) held a Stage One Preapproval for a license before October

- (ii) was not operational before October 1, 2022.

- (d) A political subdivision or special taxing district may not impose a tax on cannabis.

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