

Article - Alcoholic Beverages and Cannabis

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§36–601.

(a) In this section, “Fund” means the Medical Cannabis Compassionate Use Fund.

(b) There is a Medical Cannabis Compassionate Use Fund.

(c) (1) The Administration shall:

(i) administer the Fund; and

(ii) subject to paragraph (2) of this subsection, establish fees in an amount necessary to provide revenues for the purposes of the Fund.

(2) The Administration may not impose the fees established under paragraph (1)(ii) of this subsection on a licensed medical cannabis grower, processor, or dispensary before the grower, processor, or dispensary is an operational cannabis licensee under this title.

(d) The purpose of the Fund is to provide access to cannabis for individuals enrolled in the Maryland Medical Assistance Program or in the Veterans Affairs Maryland Health Care System, including access to, at a reduced cost:

(1) an assessment of the patient’s medical history and current medical condition; and

(2) medical cannabis from a licensed dispensary.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(f) The Fund consists of:

(1) fees established under subsection (c)(1)(ii) of this section;

(2) fines assessed by the Administration under this title;

(3) money appropriated in the State budget to the Fund;

(4) interest earnings; and

(5) any other money from any other source accepted for the benefit of the Fund.

(g) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund shall be credited to the Fund.

(h) The Fund shall be subject to an audit by the Office of Legislative Audits as provided for in § 2-1220 of the State Government Article.

(i) The Comptroller shall pay out money from the Fund as directed by the Administration.

(j) No part of the Fund may revert or be credited to:

(1) the General Fund of the State; or

(2) any other special fund of the State.

(k) Expenditures from the Fund may be made only in accordance with the State budget.

(l) The Administration shall adopt regulations to carry out this section.

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