

HB0272/463924/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 272
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “is” insert “determined by the Administration to be in violation of this Act or”; and after line 9, insert:

“BY repealing and reenacting, without amendments,
Article - Alcoholic Beverages and Cannabis
Section 36-101(a) and (o)
Annotated Code of Maryland
(2016 Volume and 2023 Supplement)””.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“36-101.

(a) In this title the following words have the meanings indicated.

(o) (1) “Control” means:

(i) the decision-making authority over the management,
operations, or policies that guide a business; or

(ii) authority over the operation of the technical aspects of a
business.

(2) “Control” includes:

HB0272/463924/01 Economic Matters Committee
Amendments to HB 272
Page 2 of 3

- (i) holding a right to veto significant events;
- (ii) the right or authority to make or veto decisions regarding operations and strategic planning, capital allocations, acquisitions, and divestments;
- (iii) the right or authority to appoint or remove directors, corporate-level officers, or their equivalent;
- (iv) the right or authority to make major marketing, production, and financial decisions; and
- (v) the right or authority to execute exclusive contracts or significant contracts in the aggregate of \$10,000 or greater on behalf of the licensee.”;

in line 19, after “(A)” insert “IN THIS SECTION, “GENUINE OWNERSHIP” MEANS AN OWNERSHIP INTEREST IN AN APPLICANT, A CANNABIS LICENSEE, OR A REGISTRANT THAT IS EVIDENCED BY RECORD OWNERSHIP IN WHICH THE OWNER, REGARDLESS OF THE AMOUNT OF CAPITAL OR ASSETS THAT THE OWNER CONTRIBUTES TO THE APPLICANT, LICENSEE, OR REGISTRANT, ENJOYS THE CUSTOMARY INCIDENTS OF OWNERSHIP AND SHARES IN THE PROFITS AND LOSSES OF THE CANNABIS LICENSE OR REGISTRATION PROPORTIONATE TO THE PERCENTAGE OF THE OWNER’S INTEREST IN THE CANNABIS LICENSE OR REGISTRATION.

(B)”;

and in line 23, after “OWNERSHIP” insert “OR CONTROL”.

On page 2, in lines 4 and 7, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; in lines 4 and 11, in each instance, strike “(A)” and substitute “(B)”;

in line 10, after “IS” insert “:

(1) DETERMINED BY THE ADMINISTRATION TO BE IN VIOLATION
OF SUBSECTION (B) OF THIS SECTION; OR

(2)”;

and in line 13, strike “October” and substitute “June”.