

HB0805/423329/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 805
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “requirements;” insert “authorizing certain individuals to file a protest with the Maryland Cannabis Administration against the renewal of a cannabis license; establishing standards and requirements for the Administration’s consideration of a protest;”; and after line 19, insert:

“BY adding to

Article – Alcoholic Beverages and Cannabis
Section 36–411
Annotated Code of Maryland
(2016 Volume and 2023 Supplement)”.

AMENDMENT NO. 2

On page 2, in lines 29 and 30, strike “the facility”; and in line 31, after “(1)” insert “THE FACILITY”.

On page 3, in line 1, strike “is used by a grower, processor, or dispensary that” and substitute “THE CANNABIS LICENSEE”; and in line 4, strike “operational” and substitute “ACTIVELY ENGAGED IN THE GROWING, PROCESSING, OR DISPENSING OF CANNABIS”.

On page 4, in line 8, after “CANNABIS” insert “EXCLUSIVELY”; and in the same line, after “OUTDOORS” insert “IN AN AREA ZONED ONLY FOR AGRICULTURAL USE”.

AMENDMENT NO. 3

**HB0805/423329/01 Economic Matters Committee
Amendments to HB 805
Page 2 of 4**

On page 3, in line 26, after “(c)” insert “**(1)**”; in the same line, strike “A” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**”; and after line 27, insert:

“(2) A POLITICAL SUBDIVISION MAY BY ORDINANCE INCREASE THE DISTANCE LIMITATION FOR DISPENSARIES UNDER SUBSECTION (B)(2) OF THIS SECTION TO NOT MORE THAN 2,000 FEET.”

AMENDMENT NO. 4

On page 4, after line 11, insert:

“36-411.

(A) (1) A PROTEST AGAINST A LICENSE RENEWAL MAY BE FILED WITH THE ADMINISTRATION BY AT LEAST 10 INDIVIDUALS WHO ARE:

(I) RESIDENTS, COMMERCIAL TENANTS WHO ARE NOT HOLDERS OF OR APPLICANTS FOR A LICENSE, OR REAL ESTATE OWNERS; AND

(II) LOCATED WITHIN 1,000 FEET OF THE LICENSED PREMISES.

(2) A PROTEST AGAINST A LICENSE RENEWAL SHALL:

(I) BE ON THE BASIS OF:

1. A VIOLATION OF THIS TITLE;

2. A VIOLATION OF CIVIL OR CRIMINAL LAW;

3. CONDUCT BY A LICENSEE THAT CREATES OR MAINTAINS CONDITIONS THAT ALLOW OTHER INDIVIDUALS TO ACT IN A MANNER THAT DISTURBS THE PUBLIC PEACE, INCLUDING:

A. OBSTRUCTION OF PUBLIC RIGHTS-OF-WAY BY UNRULY CROWDS;

B. ASSAULT, BATTERY, OR OTHER DISORDERLY CONDUCT THAT DISTURBS THE PUBLIC PEACE;

C. VANDALISM; OR

D. LITTERING; OR

4. ANY OTHER VIOLATION ESTABLISHED BY THE ADMINISTRATION BY REGULATION; AND

(II) BE SIGNED UNDER OATH.

(B) (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION, IF A PROTEST AGAINST A LICENSE RENEWAL IS FILED AT LEAST 30 DAYS BEFORE THE LICENSE EXPIRES, THE ADMINISTRATION MAY NOT APPROVE THE RENEWAL WITHOUT HOLDING A HEARING.

(2) THE ADMINISTRATION MAY APPROVE A LICENSE RENEWAL WITHOUT A HEARING IF THE ADMINISTRATION FINDS THAT THE BASIS OF THE PROTEST FILED AGAINST THE RENEWAL IS WITHOUT ANY REASONABLE GROUND.

(Over)

(C) IN HEARING AND MAKING A DETERMINATION ON A PROTEST FILED AGAINST A LICENSE RENEWAL, THE ADMINISTRATION:

(1) MAY CONSIDER ONLY:

(I) ISSUES ARISING OUT OF SPECIFIC COMPLAINTS ABOUT THE OPERATION OF THE LICENSED PREMISES; AND

(II) THE PERFORMANCE OF THE LICENSE HOLDER FOR THE 4-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF THE RENEWAL APPLICATION; AND

(2) MAY NOT CONSIDER ZONING ISSUES.

(D) THE ADMINISTRATION MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.”.