

SENATE BILL 469

A3

4lr1514

By: **Senator McCray**

Introduced and read first time: January 22, 2024

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Cannabis Administration – Cannabis Licensing – Protests of Renewal**

3 FOR the purpose of authorizing certain individuals to file a protest with the Maryland
4 Cannabis Administration against the renewal of a cannabis license; establishing
5 standards and requirements for the Administration’s consideration of a protest filed
6 under this Act; and generally relating to the renewal of cannabis licenses.

7 BY adding to

8 Article – Alcoholic Beverages and Cannabis

9 Section 36–411

10 Annotated Code of Maryland

11 (2016 Volume and 2023 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Alcoholic Beverages and Cannabis**

15 **36–411.**

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

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

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

21 **(2) A PROTEST AGAINST A LICENSE RENEWAL SHALL:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **(I) BE ON THE BASIS OF:**
- 2 1. **A VIOLATION OF THIS TITLE;**
- 3 2. **A VIOLATION OF CIVIL OR CRIMINAL LAW;**
- 4 3. **CONDUCT BY A LICENSEE THAT CREATES OR**
5 **MAINTAINS CONDITIONS THAT ALLOW OTHER INDIVIDUALS TO ACT IN A MANNER**
6 **THAT DISTURBS THE PUBLIC PEACE, INCLUDING:**
- 7 A. **OBSTRUCTION OF PUBLIC RIGHTS-OF-WAY BY**
8 **UNRULY CROWDS;**
- 9 B. **ASSAULT, BATTERY, OR OTHER DISORDERLY**
10 **CONDUCT THAT DISTURBS THE PUBLIC PEACE;**
- 11 C. **VANDALISM; OR**
- 12 D. **LITTERING; OR**
- 13 4. **ANY OTHER VIOLATION ESTABLISHED BY THE**
14 **ADMINISTRATION BY REGULATION; AND**

15 **(II) BE SIGNED UNDER OATH.**

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

20 **(2) THE ADMINISTRATION MAY APPROVE A LICENSE RENEWAL**
21 **WITHOUT A HEARING IF THE ADMINISTRATION FINDS THAT THE BASIS OF THE**
22 **PROTEST FILED AGAINST THE RENEWAL LACKS SUBSTANCE.**

23 **(C) TO HEAR AND MAKE A DETERMINATION ON A PROTEST FILED AGAINST**
24 **A LICENSE RENEWAL, THE ADMINISTRATION:**

25 **(1) MAY CONSIDER ONLY:**

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

1 **(II) THE PERFORMANCE OF THE LICENSE HOLDER FOR THE**
2 **4-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF THE RENEWAL**
3 **APPLICATION; AND**

4 **(2) MAY NOT CONSIDER ZONING ISSUES.**

5 **(D) THE ADMINISTRATION MAY ADOPT REGULATIONS TO IMPLEMENT THIS**
6 **SECTION.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2024.