Article - Alcoholic Beverages and Cannabis

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§36–202.

(a) The Administration shall:

(1) develop and maintain a seed–to–sale tracking system that tracks cannabis from either the seed or immature plant stage until the cannabis is sold to a patient, caregiver, or consumer;

(2) conduct financial and criminal background investigations of any person who submits an application for a cannabis license or a cannabis licensee, as required under this title;

(3) develop a process for consumers and qualifying patients to purchase clones and seeds, seedlings, stalks, roots, and stems of the cannabis plant for cultivation in accordance with § 5–601.2 of the Criminal Law Article;

(4) solicit, evaluate, and issue or deny applications for cannabis licenses and cannabis registrations, including:

(i) licenses to operate a cannabis business in accordance with this title; and

(ii) registration for independent testing laboratories, transporters, security guard companies, waste disposal companies, and cannabis nurseries;

(5) award or deny:

(i) a license to operate a cannabis business in accordance with this title; and

(ii) registration to independent testing laboratories, transporters, security guard companies, waste disposal companies, cannabis nurseries, and any other type of cannabis business authorized by the Administration;

(6) conduct announced and unannounced inspections of any business licensed or registered under this title to ensure compliance with this title;

(7) after a determination that a violation of this title or a regulation adopted under this title has occurred, suspend, fine, restrict, or revoke cannabis

licenses and cannabis registrations, whether active, expired, or surrendered, or impose any other penalty authorized by this title or any regulation adopted under this title;

(8) (i) give notice and hold a hearing in accordance with Title 10, Subtitle 2 of the State Government Article, for any:

1. contested cannabis license or registration denial; or

2. violation of this title or any regulation adopted under this title;

(ii) administer oaths in a proceeding under this section; and

(iii) subject to subsection (b)(3) of this section, allow the person against whom the action is contemplated to be represented at the hearing by counsel;

(9) adopt regulations necessary to carry out its duties under this title; and

(10) perform any other power authorized or duty required under this title or any other provision of State law.

(b) The Administration may:

(1) issue a subpoena for the attendance of a witness to testify or the production of evidence in connection with:

(i) any disciplinary action under this title; or

(ii) any investigation or proceeding initiated for an alleged violation of this title;

(2) delegate the hearing authority authorized under subsection (a)(8) of this section to an employee within the Administration;

(3) if, after due notice, the person against whom a disciplinary action is contemplated does not appear at a hearing, hear and determine the matter; and

(4) after a hearing under this subsection, fine a cannabis licensee or suspend, restrict, or revoke a cannabis license or a cannabis registration for a violation of:

(i) this title or a regulation adopted under this title; or

(ii) any other State law or regulation related to cannabis or the operations of a cannabis business or registrant.

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