

Bill No.: _____
Requested: _____
Committee: _____

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By: **Delegate Hill**

A BILL ENTITLED

1 AN ACT concerning

2 **Medical Cannabis – Regulations and Study**

3 FOR the purpose of authorizing the Natalie M. LaPrade Medical Cannabis Commission to
4 adopt regulations requiring growers, medical cannabis grower agents, dispensaries,
5 dispensary agents, processors, and processor agents to maintain certain health and
6 safety information and provide the information to certain persons under certain
7 circumstances; requiring the Department of Agriculture to study the health impacts
8 of smoking medical cannabis that was grown using pesticides or being in proximity
9 to smoke from the burning of medical cannabis that was grown using pesticides;
10 requiring the Department to submit the results of the study to the General Assembly
11 on or before a certain date; and generally relating to medical cannabis regulations
12 and a study.

13 BY adding to

14 Article – Health – General
15 Section 13–3306(f), 13–3307(k), and 13–3309(k)
16 Annotated Code of Maryland
17 (2019 Replacement Volume)

18 BY repealing and reenacting, with amendments,

19 Article – Health – General
20 Section 13–3306(f) through (i), 13–3307(k) through (m), and 13–3309(k) and (l)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2019 Replacement Volume)

3 BY repealing and reenacting, without amendments,
4 Article – Health – General
5 Section 13–3307(j) and 13–3309(j)
6 Annotated Code of Maryland
7 (2019 Replacement Volume)

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

10 **Article – Health – General**

11 13–3306.

12 **(F) (1) THE COMMISSION MAY ADOPT REGULATIONS REQUIRING A**
13 **GROWER LICENSED UNDER THIS SECTION OR A MEDICAL CANNABIS GROWER AGENT**
14 **TO:**

15 **(I) MAINTAIN HEALTH AND SAFETY INFORMATION REGARDING**
16 **ALL MEDICAL CANNABIS THAT THE GROWER TRANSFERS, TRANSPORTS, SELLS, OR**
17 **DISTRIBUTES; AND**

18 **(II) PROVIDE HEALTH AND SAFETY INFORMATION TO ANY**
19 **PERSON TO WHICH THE GROWER OR MEDICAL CANNABIS GROWER AGENT**
20 **TRANSFERS, TRANSPORTS, SELLS, OR DISTRIBUTES MEDICAL CANNABIS UNDER**
21 **THIS SECTION.**

22 **(2) THE HEALTH AND SAFETY INFORMATION THAT MAY BE REQUIRED**
23 **TO BE MAINTAINED AND PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION**
24 **MAY INCLUDE INFORMATION REGARDING:**

25 **(I) ANY PESTICIDE OR HERBICIDE USED TO GROW THE**
26 **MEDICAL CANNABIS;**

27 **(II) ANY ADDITIVES TO THE MEDICAL CANNABIS; AND**

1 **(III) ANY OTHER INFORMATION ABOUT POTENTIAL HEALTH OR**
2 **SAFETY RISKS.**

3 **[(f)] (G)** The Commission may inspect a grower licensed under this section to
4 ensure compliance with this subtitle.

5 **[(g)] (H)** The Commission may impose penalties or rescind the license of a
6 grower that does not meet the standards for licensure set by the Commission.

7 **[(h)] (I)** A grower licensed under this section or a medical cannabis grower agent
8 registered under this section may not be penalized or arrested under State law for:

9 (1) Cultivating, possessing, packaging, transferring, transporting, selling,
10 or distributing medical cannabis to a processor or dispensary; or

11 (2) Transporting the medical cannabis to an independent testing
12 laboratory.

13 **[(i)] (J)** A grower licensed under this subtitle is subject to the Maryland
14 Antitrust Act and the Maryland Sales Below Cost Act.

15 13–3307.

16 (j) The Commission, in consultation with the Department, shall adopt
17 regulations to require a dispensary to meet any additional requirements that the
18 Commission determines are necessary, including requiring a permit, for the dispensing of
19 edible cannabis products.

20 **(K) (1) THE COMMISSION MAY ADOPT REGULATIONS REQUIRING A**
21 **DISPENSARY LICENSED UNDER THIS SECTION OR A DISPENSARY AGENT**
22 **REGISTERED UNDER § 13–3308 OF THIS SUBTITLE TO:**

23 **(I) MAINTAIN HEALTH AND SAFETY INFORMATION REGARDING**
24 **ALL MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, AND EDIBLE CANNABIS**
25 **PRODUCTS THAT THE DISPENSARY TRANSFERS, TRANSPORTS, SELLS, DISTRIBUTES,**
26 **OR DISPENSES, INCLUDING INFORMATION RECEIVED FROM A GROWER, MEDICAL**
27 **CANNABIS GROWER AGENT, PROCESSOR, OR PROCESSOR AGENT ABOUT THE**

1 MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCT, OR EDIBLE CANNABIS
2 PRODUCT; AND

3 (II) PROVIDE, ON REQUEST, ANY INFORMATION MAINTAINED
4 UNDER ITEM (I) OF THIS PARAGRAPH TO A PERSON WHO OBTAINS OR MAY OBTAIN
5 MEDICAL CANNABIS, A MEDICAL CANNABIS PRODUCT, OR AN EDIBLE CANNABIS
6 PRODUCT FROM THE DISPENSARY UNDER THIS SECTION.

7 (2) THE HEALTH AND SAFETY INFORMATION THAT MAY BE REQUIRED
8 TO BE MAINTAINED AND PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION
9 MAY INCLUDE INFORMATION REGARDING:

10 (I) ANY PESTICIDE OR HERBICIDE USED TO GROW THE
11 MEDICAL CANNABIS;

12 (II) ANY ADDITIVES TO THE MEDICAL CANNABIS; AND

13 (III) ANY OTHER INFORMATION ABOUT POTENTIAL HEALTH OR
14 SAFETY RISKS.

15 [(k)] (L) The Commission may impose penalties or rescind the license of a
16 dispensary that does not meet the standards for licensure set by the Commission.

17 [(l)] (M) (1) Each dispensary licensed under this section shall submit to the
18 Commission a quarterly report.

19 (2) The quarterly report shall include:

20 (i) The number of patients served;

21 (ii) The county of residence of each patient served;

22 (iii) The medical condition for which medical cannabis was
23 recommended;

24 (iv) The type and amount of medical cannabis dispensed; and

1 (v) If available, a summary of clinical outcomes, including adverse
2 events and any cases of suspected diversion.

3 (3) The quarterly report may not include any personal information that
4 identifies a patient.

5 [(m)] (N) A dispensary licensed under this subtitle is subject to the Maryland
6 Antitrust Act and the Maryland Sales Below Cost Act.

7 13–3309.

8 (j) The Commission, in consultation with the Department, shall adopt
9 regulations:

10 (1) Including but not limited to the packaging, labeling, marketing, and
11 appearance of edible cannabis products, to ensure the safety of minors; and

12 (2) To require a processor to meet any additional requirements that the
13 Commission determines are necessary, including requiring a permit, for the processing of
14 edible cannabis products.

15 (K) (1) THE COMMISSION MAY ADOPT REGULATIONS REQUIRING A
16 PROCESSOR LICENSED UNDER THIS SECTION OR A PROCESSOR AGENT REGISTERED
17 UNDER § 13–3310 OF THIS SUBTITLE TO:

18 (I) MAINTAIN HEALTH AND SAFETY INFORMATION REGARDING
19 ALL MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, AND EDIBLE CANNABIS
20 PRODUCTS THAT THE PROCESSOR TRANSFERS, TRANSPORTS, SELLS, OR
21 DISTRIBUTES, INCLUDING INFORMATION RECEIVED FROM THE GROWER OR
22 MEDICAL CANNABIS GROWER AGENT ABOUT THE MEDICAL CANNABIS; AND

23 (II) AT THE TIME A PROCESSOR OR PROCESSOR AGENT
24 TRANSFERS, TRANSPORTS, SELLS, OR DISTRIBUTES MEDICAL CANNABIS, A MEDICAL
25 CANNABIS PRODUCT, OR AN EDIBLE CANNABIS PRODUCT TO A PERSON UNDER THIS
26 SECTION, PROVIDE TO THE PERSON THE INFORMATION MAINTAINED UNDER ITEM
27 (I) OF THIS PARAGRAPH FOR THE MEDICAL CANNABIS, MEDICAL CANNABIS
28 PRODUCT, OR EDIBLE CANNABIS PRODUCT.

1 **(2) THE HEALTH AND SAFETY INFORMATION THAT MAY BE REQUIRED**
2 **TO BE MAINTAINED AND PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION**
3 **MAY INCLUDE INFORMATION REGARDING:**

4 **(I) ANY PESTICIDE OR HERBICIDE USED TO GROW THE**
5 **MEDICAL CANNABIS;**

6 **(II) ANY ADDITIVES TO THE MEDICAL CANNABIS; AND**

7 **(III) ANY OTHER INFORMATION ABOUT POTENTIAL HEALTH OR**
8 **SAFETY RISKS.**

9 **[(k)] (L)** The Commission may impose penalties or rescind the license of a
10 processor that does not meet the standards for licensure set by the Commission.

11 **[(l)] (M)** A processor licensed under this subtitle is subject to the Maryland
12 Antitrust Act and the Maryland Sales Below Cost Act.

13 SECTION 2. AND BE IT FURTHER ENACTED, That:

14 (a) The Department of Agriculture shall study the health impacts of smoking
15 medical cannabis that was grown using pesticides or being in proximity to smoke from the
16 burning of medical cannabis that was grown using pesticides.

17 (b) On or before December 1, 2020, the Department shall report on the results of
18 the study to the General Assembly in accordance with § 2–1257 of the State Government
19 Article.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2020.