



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable C.T. Wilson, Chair and
Members of the Economic Matters Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 17, 2023

RE: **HB 556 – Cannabis Reform**

POSITION: **LETTER OF INFORMATION**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) are submitting this letter of information regarding HB 556. This bill creates a regulatory and licensing structure for recreational cannabis. The committee has a great task ahead of them in establishing a structure in advance of July 1, 2023. The breadth of the bill is indicative of the many issues that need to be addressed when setting up this new structure.

MCPA and MSA raise sections § 36–1301, § 36–1302, and § 36–1303 under Subtitle 13. Civil Immunities and Liabilities to attention. These sections set the parameters for what an employer may or may not do when it comes to employees who consume cannabis. They are very broad, presumably, so they can apply to all employers. However, law enforcement is unlike other employers.

Due to the nature of the law enforcement profession, there are often unique considerations that need to be made for law enforcement officers that do not apply to other professions. The employer provisions in HB 556 would undermine existing law enforcement standards regarding drug use. For instance, COMAR cannabis regulations were recently adopted by the Maryland Police Training and Standards Commission. These include guidelines about prior drug use that officers must meet for employment. This bill does not uphold those standards and prohibitions. Additionally, unless already established, a law enforcement employer would not be able to create cannabis drug testing requirements for existing sworn officers. Given the specific standards law enforcement officers must meet, the bill should have exceptions for law enforcement officers before, during, and after hire.

The MCPA and MSA hope you take these concerns that are particular to law enforcement as employers into consideration as you work towards a product that meets all the state's intended goals.

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