



Joint Letter American Lung Association and American Heart Association House Bill 556
Economic Matters
February 17, 2023
Opposition

Chair Wilson and Members of the Committee:

Thank you for the opportunity to provide comments on House Bill 556, Cannabis Reform. The American Lung Association and American Heart Association currently do not have a position on the legalization of recreational marijuana however, we are **opposed** to the section beginning on page 50 which would allow for the on-site consumption of marijuana indoors and the creation of food establishments that can allow onsite consumption by way of permitting. By allowing for the consumption of marijuana indoors it would significantly undermine the strong protections outlined in Maryland's Clean Indoor Air Act.

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education and advocacy. The work of the American Lung Association is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases.

The American Heart Association is a relentless force for a world of longer, healthier lives. We are dedicated to ensuring equitable health in all communities. Through collaboration with numerous organizations, and powered by millions of volunteers, we fund innovative research, advocate for the public's health and share lifesaving resources.

The American Lung Association and American Heart Association strongly believe that the use of marijuana should be prohibited in all places where the smoking of other tobacco products are prohibited. We have continued to fight for laws and policies to make our communities in Maryland and across the country smokefree. All Americans deserve to live, work, study and play in smokefree environments. By implementing smokefree environments, all workers and patrons can be protected from the dangers of all types of secondhand smoke, including marijuana smoke.

The current Clean Indoor Air statute in Maryland, has a significant loophole by not currently including the use of electronic smoking devices. Under House Bill 566 as drafted it could potentially exacerbate this loophole and allow for the vaping and smoking of marijuana

indoors. The American Lung Association and American Heart Association are extremely concerned by this and the potential exposure to harmful secondhand smoke and aerosol to Marylanders. Since marijuana smoke harms lung health, the American Lung Association opposes the inhalation of smoke or aerosol of marijuana. The American Lung Association and American Heart Association supports measures to require totally smokefree environments, including prohibiting the smoking or vaping of marijuana.

Secondhand marijuana smoke contains many of the same toxins and carcinogens found in directly inhaled tobacco smoke. The toxins can cause lung irritation, asthma attacks, and make respiratory infections more likely. Exposure to secondhand marijuana smoke can exacerbate health problems especially for people with respiratory conditions like asthma, bronchitis, or COPD.

House Bill 556 could also be outside the scope of what Marylanders thought they voted for on the 2022 ballot. [The ballot measure description stated](#), *“Do you favor the legalization of the use of cannabis by an individual who is at least 21 years of age on or after July 1, 2023, in the State of Maryland?”*. At the time voters most likely didn’t know that this legalization would include allowing onsite indoor consumption and exposure to secondhand smoke or the possibility of drifting smoke into their neighboring businesses or residences.

The U.S. Surgeon General has concluded that there is no safe level of exposure to toxic secondhand smoke.¹ The U.S. Surgeon General has also concluded that separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate exposure of nonsmokers to secondhand smoke. In addition, in a 2016 report, the Surgeon General concluded that secondhand e-cigarette emissions contain, “nicotine; ultrafine particles; volatile organic compounds such as benzene, which is found in car exhaust; and heavy metals, such as nickel, tin, and lead.”² The only effective way to fully protect nonsmokers from exposure to secondhand smoke and aerosol is to completely eliminate smoking and vaping in indoor public spaces.³ We would request the bill be amended to ensure that marijuana cannot be consumed on site in food establishments that seek an exemption.

The American Lung Association and American Heart Association thanks the Maryland General Assembly for their continued commitment to the health and wellbeing of the residents of Maryland and urges the committee to amend the section that would allow for indoor consumption of marijuana in any venue in the bill as it moves forward.

Sincerely,

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¹U.S. Department of Health and Human Services (HHS). *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.

² U.S. Department of Health and Human Services. *E-Cigarette Use Among Youth and Young Adults: A Report of the Surgeon General—Executive Summary*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

³ HHS, 2006.