



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
ACTING DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: HB 855 Criminal Law—Cannabis Limits

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: March 7, 2023

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on House Bill 855. This bill recognizes that because cannabis can be consumed in multiple forms, possession of those multiple forms of cannabis should not lead to a criminal case or civil citation. By adding the clause “one or more of the following” to the definition of “personal use amount” and “civil use amount,” a person will be able to legally grow their two cannabis plants, and from those plants create a usable amount of cannabis that does not exceed the personal use amount, without risking any legal penalties. Without this bill, individuals could conceivably be penalized for turning their cannabis plants into usable cannabis because the combination of the two is over the personal use limit. That undermines the personal use scheme, and this bill is an important common sense measure to ensure that we do not over-criminalize individuals for cannabis use.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on HB 855.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Michele D. Hall, Assistant Public Defender | michele.hall@maryland.gov