

Written Testimony – In Support of Cannabis Advertising Alteration Bill (SB0594)

Dear Chair Beidle and Members of the Committee,

My name is Venus Hemachandra. I have been part of Maryland’s cannabis industry since 2017. I previously held a medical cannabis dispensary license from 2017–2023 and I am now in the process of establishing a new dispensary in Parkville, Maryland as a social equity licensee. I also serve as the current President of the Maryland Dispensary Association.

I am writing in strong support of the proposed alterations to Maryland’s cannabis advertising laws.

Maryland’s cannabis industry already operates under highly restrictive advertising limitations. Since the transition to adult-use, dispensaries are no longer permitted to use basic on-site signage tools that were previously allowed under the medical program — such as flags or additional directional signage on licensed premises, including parking lots. Today, dispensaries are effectively limited to a single exterior name sign.

This presents a particular hardship for newer dispensary licensees who are predominantly social equity operators. New social equity businesses are launching in a more restrictive environment and without the same opportunity to build early community awareness. As a result, we have fewer tools to indicate to the public that a new, licensed dispensary has opened and is operating legally.

In my specific case, our dispensary is located within a shopping plaza alongside multiple other businesses. We are not a freestanding building. Without reasonable directional signage — such as inclusion on the plaza’s pylon sign or limited wayfinding signage — customers and patients may not be able to locate us. These are not promotional advertisements; they are basic tools to allow interested adults and registered patients to find a licensed, regulated business.

This issue becomes even more pressing when we are competing against unlicensed operators who advertise freely and without regulatory oversight. When licensed dispensaries are restricted from advertising and from clearly communicating that we are licensed facilities, it prevents us from distinguishing ourselves from illicit operators. This creates unnecessary confusion for consumers and weakens the regulatory framework the State has worked hard over the past 9 years to establish.

Additionally, several dispensary members have been cited or fined for alleged advertising violations in circumstances we would not normally consider advertising. For example:

- When dispensaries were featured in local news coverage or educational videos for informational purposes.
- When patients or customers voluntarily posted unsolicited reviews on social media while wearing apparel with a company logo — apparel they independently purchased to support the business.
- One member was fined for displaying signage identifying that they are proudly one of the few women-owned dispensaries — a factual statement reflecting ownership status, not a promotional inducement.

Licensed dispensaries cannot control independent third-party speech. We cannot control what customers post online, especially when those posts are not solicited or coordinated. Nor should licensees be penalized for truthful, factual statements about ownership. Holding businesses accountable for independent third-party activity — or for accurately identifying themselves — creates uncertainty and regulatory risk that disproportionately impacts small and social equity operators.

Clearer standards around what constitutes advertising and prohibited claims would provide needed guidance to licensees and ensure consistent enforcement while maintaining appropriate safeguards.

I also want to express support for the addition of a clear definition of “therapeutic” and “medical” claims within the statute or regulations. Currently, members are being cited or fined for statements on their age-gated websites in product descriptions that include general effect-based language such as “help promote stress relief” or “effects may include relaxation, hunger, or happiness.” These types of descriptions are common industry terminology used to describe consumer-reported experiences with specific strains or products. Clear regulatory definitions would provide guidance to licensees and ensure consistent enforcement, while still prohibiting inappropriate or unsupported medical claims.

Maryland’s cannabis businesses want to comply with the law. We simply need clear, fair, and workable standards that allow licensed operators, especially social equity businesses, to compete in a regulated marketplace.

I respectfully urge the Committee to support these advertising alterations and provide clarity and fairness to Maryland’s licensed cannabis operators.

Thank you for your consideration.

A handwritten signature in blue ink, appearing to read "Venus Hemachandra", with a horizontal line underneath.

Venus Hemachandra

CEO/Founder – Moment Cannabis Dispensary
President, Maryland Dispensary Association