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**Senate Judicial Proceedings Committee**  
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Testimony from the Maryland State Chapter of the  
National Organization for the Reform of Marijuana Laws (NORML)

**OPPOSE SB0406**  
(Criminal Law – Drug Trafficking Crime – Definition)

Maryland NORML has no paid staff – we are entirely energized by a core group of citizen volunteers and more than 5,000 other Marylanders committed to ending marijuana prohibition and establishing a regulated cannabis commercial market for adults. I have never had any stake or investment of any kind in any cannabis enterprise, nor does anyone in my family, and I have never received any fee or remuneration for consulting with any cannabis enterprise. As an organization, we have worked to reform state and federal marijuana laws for more than 50 years.

We are in strong opposition to Senate Bill 406. The bill would significantly expand the scope of Maryland’s firearm–drug enhancement statute in a manner that is disproportionate, inconsistent with the State’s cannabis reform framework, and likely to produce unjust outcomes.

SB 406 redefines “drug trafficking crime” to include certain misdemeanor cannabis offenses, thereby triggering severe firearm-related felony penalties—including mandatory minimum sentences of five to ten years—based on conduct the General Assembly has expressly classified as non-felonious. This expansion represents a sharp departure from the principle that sentencing enhancements should be reserved for serious, violent, or large-scale criminal activity.

Maryland has spent the last decade recalibrating its approach to cannabis by reducing penalties, eliminating collateral consequences, and drawing clearer distinctions between low-level conduct and true trafficking. SB 406 undermines that progress by reintroducing extreme punishment through a secondary pathway, even when no violence is alleged or proven.

The bill also raises serious proportionality and fairness concerns. By attaching lengthy mandatory sentences to misdemeanor cannabis activity whenever a firearm is present—regardless of use or intent—it risks sweeping in lawful gun owners and imposing penalties far in excess of culpability. Such outcomes erode public confidence in the justice system and conflict with evidence-based criminal justice reform.

**For these reasons and more, we urge an UNFAVORABLE report on SB0406.**

M. Luke Jones, Maryland NORML