

# ENROLLED

## COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2024 Legislative Session

Legislative Day No. 13

### Legislative Bill 2024-05

Introduced: June 18, 2024

Introduced by: The Council President

AN ACT TO AMEND CHAPTER 29 OF THE WICOMICO COUNTY CODE, TITLED "FINANCE" TO ESTABLISH ARTICLE III TITLED "COMMUNITY REINVESTMENT AND REPAIR FUND" TO ESTABLISH THE USE AND DISTRIBUTION PROCESS FOR MONEY RECEIVED FROM THE COMMUNITY REINVESTMENT AND REPAIR FUND.

WHEREAS, on November 8, 2022, Maryland voters passed " Question 4" by ballot referendum, making it legal for individuals aged 21 and older to possess and consume cannabis in Maryland on or after July 1, 2023; and

WHEREAS, on April 8, 2023, the Maryland General Assembly passed the Cannabis Reform Act (HB556/ SB516) which allowed for cannabis sales to adults 21 and older from licensed dispensaries and established a framework for adult-use cannabis sales beginning July 1, 2023, including the conversion of existing medical cannabis business licenses to both medical and adult-use cannabis, and created a new Maryland Cannabis Administration to oversee see both medical and adult- use program; and

WHEREAS, on May 3, 2023, the Governor of Maryland signed the Cannabis Reform Act into law; and

WHEREAS, the Cannabis Reform Act established a Community Reinvestment and Repair Fund, the purpose of which is to provide financial support to community-based organizations that serve communities which were the most impacted through the disproportionate enforcement of the cannabis prohibition before July 1, 2022; and

WHEREAS, the Wicomico County will receive a percentage of the Community Reinvestment and Repair Fund, but must adopt a law establishing the purpose for which money received form the Fund may be used.

Section I. BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, that Chapter 29 of the Wicomico County Code, titled "Finance" is hereby amended to establish Article III Titled "Community Reinvestment and Repair Fund" and shall read as follows:

Chapter 29

Finance

ARTICLE III

COMMUNITY REINVESTMENT AND REPAIR FUND

§29-25 DEFINITION OF TERMS.

AS USED IN THIS ARTICLE, THE FOLLOWING TERMS SHALL HAVE THE MEANINGS INDICATED:

COMMUNITY EACH CENSUS BLOCK GROUP IN WICOMICO COUNTY, AS DEFINED BY THE CURRENT VERSION OF THE BLUEPRINT FOR MARYLAND'S FUTURE: INTERIM REPORT ON NEIGHBORHOOD INDICATORS OF POVERTY, IS A SEPARATE COMMUNITY.

COMMUNITY-BASED INITIATIVE IS A PROGRAM OR SERVICE THAT PROVIDES EDUCATION, VOCATIONAL EDUCATION OR REHABILITATION, JOB TRAINING, HEALTH OR SOCIAL SERVICES TO INDIVIDUALS IN THE COUNTY.

COMMUNITY BASED ORGANIZATION IS A PUBLIC OR PRIVATE COMPANY, CORPORATION, LIMITED LIABILITY COMPANY, NEIGHBORHOOD GROUP, ORGANIZATION, OR PARTNERSHIP THAT PROVIDES EDUCATIONAL, VOCATIONAL EDUCATION OR REHABILITATION, JOB TRAINING, HEALTH, OR SOCIAL SERVICES TO INDIVIDUALS IN THE COUNTY.

DISPROPORTIONATELY IMPACTED AREA A GEOGRAPHIC AREA IDENTIFIED BY THE OFFICE OF SOCIAL EQUITY THAT HAS HAD ABOVE 150% OF THE STATE'S 10-YEAR AVERAGE FOR CANNABIS POSSESSION CHARGES.

FUND THE COMMUNITY REINVESTMENT AND REPAIR FUND ESTABLISHED PURSUANT TO § 1-322 OF THE ALCOHOLIC BEVERAGES AND CANNABIS ARTICLE OF THE MARYLAND CODE.

LOCAL MANAGEMENT BOARD THE WICOMICO COUNTY LOCAL MANAGEMENT BOARD ESTABLISHED PURSUANT TO § 8-301 OF THE HUMAN SERVICES ARTICLE OF THE MARYLAND CODE.

LOW-INCOME COMMUNITIES A TIER 4 OR TIER 5 COMMUNITY ACCORDING TO THE CURRENT VERSION OF THE BLUEPRINT FOR MARYLAND'S FUTURE: INTERIM REPORT ON NEIGHBORHOOD INDICATORS OF POVERTY.

OFFICE OF SOCIAL EQUITY THE INDEPENDENT OFFICE WITHIN THE MARYLAND CANNABIS ADMINISTRATION ESTABLISHED PURSUANT TO § 1-309.1 OF THE ALCOHOLIC BEVERAGES AND CANNABIS ARTICLE OF THE MARYLAND CODE.

## §29-26 USE, DISTRIBUTION AND REPORTING

### A. PERMITTED USES.

#### 1. THE FUND MAY ONLY BE USED FOR:

A. FUNDING COMMUNITY-BASED INITIATIVES INTENDED TO BENEFIT LOW-INCOME COMMUNITIES;

B. FUNDING COMMUNITY-BASED INITIATIVES THAT SERVE DISPROPORTIONATELY IMPACTED AREAS; AND

C. ANY RELATED ADMINISTRATIVE EXPENSES.

#### 2. PROHIBITED USES.

A. MONEY MAY NOT BE EXPENDED FROM THE FUND FOR LAW ENFORCEMENT AGENCIES OR ACTIVITIES.

B. MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND MAY NOT SUPPLANT FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR PREEXISTING LOCAL GOVERNMENT PROGRAMS.

### B. DISTRIBUTION OF THE FUND

1. THE COUNTY COUNCIL SHALL AWARD AND APPROPRIATE ALL MONEY RECEIVED FROM THE OFFICE SOCIAL EQUITY FOR THE COMMUNITY REINVESTMENT AND REPAIR FUND, WHICH MAY ONLY BE USED TO FUND INITIATIVES IN ACCORDANCE WITH SUBSECTION (A)(1) OF THIS SECTION. THE LOCAL MANAGEMENT BOARD SHALL DISTRIBUTE ALL FUNDS.

2. THE LOCAL MANAGEMENT BOARD SHALL DEVELOP CRITERIA FOR MAKING AN AWARD PRIOR TO THE SOLICITATION OF PROPOSALS. IN DEVELOPING CRITERIA TO MAKE AN AWARD, THE LOCAL MANAGEMENT BOARD SHALL CONSIDER ANY GUIDANCE PROVIDED BY THE OFFICE OF SOCIAL EQUITY.

3. A COMMUNITY-BASED ORGANIZATION PREVIOUSLY AWARDED MONEY FROM THE FUND MAY NOT APPLY FOR A NEW AWARD UNTIL ALL REPORTING, IN ACCORDANCE WITH PARAGRAPH 1 OF THIS SUBSECTION, FOR A PREVIOUS AWARD HAS BEEN COMPLETED AND APPROVED BY THE LOCAL MANAGEMENT BOARD.

4. ANY MONEY NOT AWARDED THAT FISCAL YEAR SHALL CARRY OVER TO THE NEXT FISCAL YEAR.

### C. PROCESS FOR DISTRIBUTION

1. THE LOCAL MANAGEMENT BOARD SHALL ESTABLISH AN OPEN PERIOD IN WHICH COMMUNITY-BASED ORGANIZATIONS MAY SUBMIT PROPOSALS FOR THE FUNDING OF COMMUNITY-BASED INITIATIVES. THE LOCAL MANAGEMENT BOARD SHALL ADVERTISE THE OPEN PERIOD ON THE WICOMICO COUNTY WEBSITE AND SOCIAL MEDIA ACCOUNTS.
2. FOLLOWING THE CLOSING PERIOD FOR PROPOSALS, THE LOCAL MANAGEMENT BOARD SHALL MEET AND REVIEW THE APPLICATIONS OVER THE FOLLOWING FOUR (4) WEEKS. FOLLOWING THE REVIEW PERIOD, THE LOCAL MANAGEMENT BOARD SHALL AWARD THE MONEY OVER THE NEXT FOUR (4) TO SIX (6) WEEKS.
3. ALL MONEY AWARDED TO A COMMUNITY BASED ORGANIZATION SHALL BE SPENT THAT FISCAL YEAR.

### D. REPORTING

1. WITHIN SIX (6) WEEKS OF COMPLETION OF THE AWARDED PROGRAM, EACH COMMUNITY BASED ORGANIZATION SHALL WRITE A REPORT OUTLINING THE USE OF THE AWARDED MONEY, THE IMPLEMENTATION PROCESS AND HOW THE PROGRAM HAS PERFORMED TO DATE.
2. ON OR BEFORE DECEMBER 1 EVERY TWO YEARS BEGINNING IN 2024, THE COUNTY EXECUTIVE SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE ON HOW MONEY RECEIVED FROM THE FUND WERE SPENT DURING THE IMMEDIATELY PRECEDING 2 FISCAL YEARS.

SECTION II: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION THAT this bill shall be known as Legislative Bill No. 2024-05 and shall take effect sixty (60) days after its enactment, unless a proper Petition for Referendum thereof shall be filed prior to said date; in which event, the Bill shall not take effect until the expiration of thirty (30) days following the approval of this Bill by a majority of the qualified voters of the County voting in any such referendum.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 16<sup>th</sup> day of July, 2024.

WICOMICO COUNTY, MARYLAND

[Signature] (SEAL)

By: John T. Cannon, President

[Signature] (SEAL)

By: Laura Hurley, Secretary

I HEREBY CERTIFY that copies of the above Bill are available to the public, the press and other news media at the time of its introduction.

[Signature] (SEAL)

By: Laura Hurley, Secretary

Explanation:

~~Strike Out~~ indicates matters ~~deleted~~ from existing law.

CAPITALS INDICATE MATTERS ADDED TO EXISTING LAW.

CAPITAL ~~STRIKE OUT~~ indicates matter stricken from Bill by Amendment.

CAPITAL UNDERLINING indicates Amendments to Bill

COUNTY COUNCIL  
OF  
WICOMICO COUNTY, MARYLAND

2024 Legislative Session

Legislative Day No. 13

**LEGISLATIVE BILL NO. 2024-05**


**INTRODUCED BY:** The Council President at the request of the County Executive.

**Legislative Bill 2024-05:** An Act to Amend Chapter 29 of the Wicomico County Code, Titled "Finance" to Establish Article III Titled "Community Reinvestment And Repair Fund" to Establish the Use and Distribution Process for Money Received from the Community Reinvestment and Repair Fund.

Introduced and read first time on June 18, 2024. Ordered posted and public hearing scheduled for July 16, 2024 at 10:00 a.m.

  
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Laura Hurley, Council Administrator

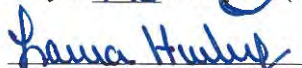
**PUBLIC HEARING:** Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, the Bill was read for a second time at a public hearing held on July 16, 2024.

  
\_\_\_\_\_  
Laura Hurley, Council Administrator

**CERTIFICATION:** The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 16<sup>th</sup> day of July, 2024.

  
\_\_\_\_\_  
Laura Hurley, Council Administrator

Presented to the County Executive for approval this 16<sup>th</sup> day of July at 4:45 a.m./p.m. (5 days §411)

  
\_\_\_\_\_  
Laura Hurley, Council Administrator

**BY THE COUNTY EXECUTIVE:**

  
\_\_\_\_\_  
County Executive

APPROVED  
Date: 7/22/2024  
(21 days §411)

VETOED

Date: \_\_\_\_\_

**BY THE COUNCIL:**

Option One: This Bill, having been approved by the County Executive and returned to the Council, becomes law on July 22, 2024 and effective on: September 20, 2024.  
(60 days §311)

Option Two: This Bill, having received neither the approval nor the disapproval of the County Executive with 21 days of its presentation, stands enacted on \_\_\_\_\_ and becomes effective on \_\_\_\_\_.  
(60 days §311)

Option Three: This Bill, being exempt from the Executive Veto stands enacted on \_\_\_\_\_ and becomes effective on \_\_\_\_\_. (Charter Section 305)

**ENROLLMENT:** Legislative Bill No. 2024-05 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.

  
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Laura Hurley, Council Administrator