



# **Legal Resource Center for Public Health Policy - Cannabis**

**Healthy St. Mary's VIT Team  
Meeting  
July 25, 2024**

Annie Carver - Staff Attorney

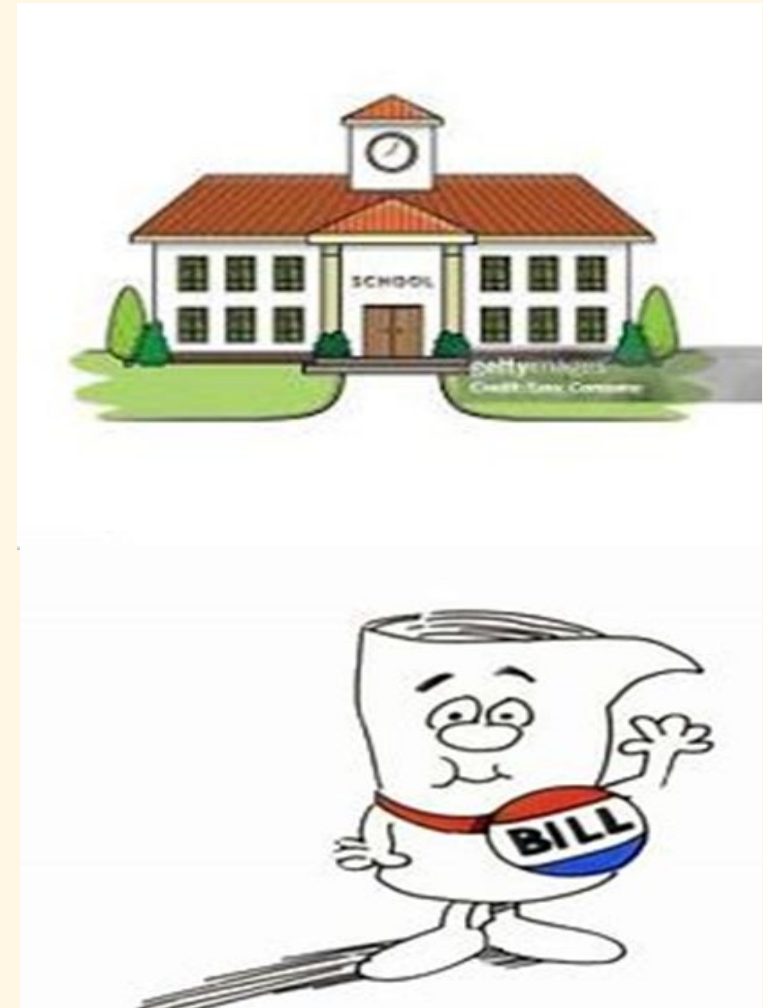
# Building on Experience to Address New Challenges

- ❑ The Legal Resource Center for Public Health Policy at the University of Maryland School of Law
  - ❑ Established in 2001
  - ❑ provide legal technical assistance regarding tobacco law
- ❑ New cannabis team added in January 2024
  - ❑ Mission to help Maryland's public health community understand and respond to the challenges of cannabis legalization.
  - ❑ Local health departments, regulatory agencies, community groups, legislators, residents, . . . .
  - ❑ Funded by the Cannabis Public Health Fund through MDH
  - ❑ Three Public Health Attorneys and a Program Coordinator
  - ❑ Same quality services



# LRC-Cannabis Services

- ❑ Cannabis community needs assessment
- ❑ Legal technical assistance
  - ❑ Cannot provide legal advice
  - ❑ Research and Educate
  - ❑ Ex. Does Maryland permit medical cannabis in schools? If so, what are the rules surrounding the administration of the medical cannabis?
- ❑ Educational resources
  - ❑ Fact sheets and issue briefs
  - ❑ Webinars
  - ❑ Meetings and presentations
  - ❑ Maryland public health cannabis conference in 2025
- ❑ Legislative tracking
- ❑ Legislative and regulatory advocacy



# St. Mary's Community Needs Assessment Results

## ☐ **Very concerned**

- ☐ Impact on pregnant and breastfeeding persons
- ☐ Availability of high potency cannabis and hemp products
- ☐ Mental health issues related to cannabis consumption
- ☐ Cannabis use disorder
- ☐ Product safety measures for legal cannabis products and hemp products
- ☐ Dual use of cannabis and other substances

## ☐ **Biggest public health concerns:** Youth marketing, access, and use; cannabis use disorder; cannabis use in multiunit housing

## ☐ **Public health issues:** zoning issues relating to growers and manufacturers, and youth use

## ☐ **Currently implementing:** increase access to substance use treatment services and seeking funding for cannabis prevention efforts

## ☐ **Greatest challenges:** Lack of sufficient funding, lowered risk perception for cannabis, lack of research on risks.

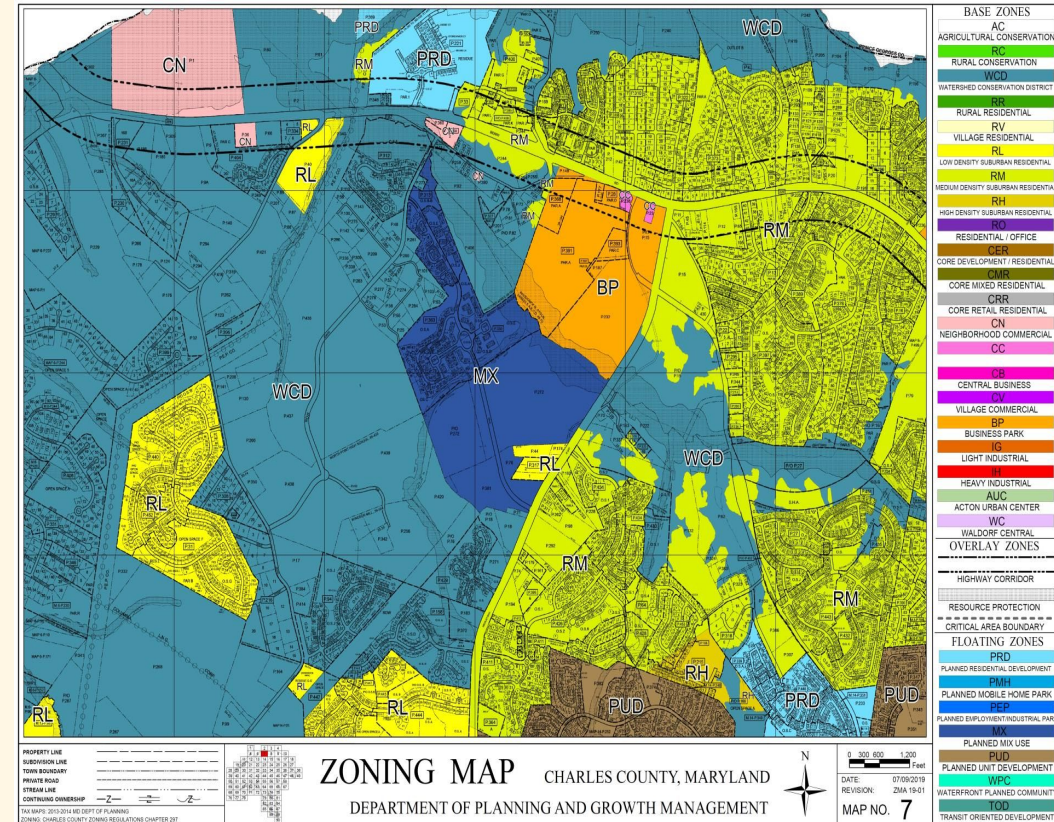
# HB 253-Cannabis Reform Act-Alterations (Passed)

- ❑ Clarifies roles of Maryland Cannabis Administration and Alcohol, Tobacco, and Cannabis Commission.
- ❑ A cannabis business cannot sponsor an event unless at least 85% of audience are adults.
- ❑ Creates a new category of cannabis license-nursery license.
- ❑ Restricts the content of signs placed on outside of cannabis business.
  - ❑ Can only be used to identify the business to the public.
- ❑ Signed by the Governor on April 25, 2024.  
Emergency bill effective upon enactment.



# HB805/SB537-Local Zoning Authority and Community Protest (Passed)

- State standard:** dispensary cannot be within 500 feet of a school, playground, public park, place of worship, . . . .
- Local government cannot set a zoning requirement more restrictive than this state standard (e.g., 1000 feet) but can reduce exclusionary zone (e.g., 300 feet).
- Local government can require that dispensaries are located up to
  - One-half mile away from each other &
  - 100 feet away from residential areas.
- Provides residents and businesses within 1,000 feet of a cannabis business the ability to protest the renewal of the business's license.
- Signed by the Governor on April 25, 2024. Effective Jun 1, 2024



# SB 399-Outdoor Cannabis Advertising (Failed)

- ❑ Current law prohibits outdoor advertising other than sign placed on the outside of a cannabis business.
- ❑ SB 399 would have removed this restriction.
- ❑ Allowed outdoor advertising if it was 500 feet away from substance use treatment facilities, schools, childcare facilities, playgrounds, libraries, and public parks.
- ❑ Received an unfavorable vote in Senate Finance Committee



## SB513/HB525-Employment Protections (Failed)

- Prohibited employers from taking adverse employment actions against an individual for their legal cannabis use outside of work hours.
- Did not allow cannabis use at work or cannabis impairment at work.
- Exemptions for employers that would lose a federal grant or contract (Drug Free Workplace Act).
- Did not preempt federal laws related to workplace drug testing.
- Did not receive a committee vote.



## HB 390/SB 396-Criminal Procedure - Stops and Searches – Cannabis Odor and Admission of Evidence (Failed)

- ❑ **Current state standard:** law enforcement officers cannot initiate a stop or search of a motor vehicle based solely on the odor of burnt or unburnt cannabis. Currently, this evidence is inadmissible as evidence.
- ❑ HB 390 would have repealed this state standard.



# MCA Proposed Regulations

- ❑ On May 3, 2024, the MCA proposed permanent regulations, which were published for public review and comment
- ❑ The LRC-C reviewed the proposed regulations and submitted public comments regarding some public health concerns, including:
  - ❑ The definition of personal use amount
  - ❑ The Compassionate Use Fund
  - ❑ Medical customer accommodations
  - ❑ Clinical director requirements
  - ❑ Product testing
  - ❑ High potency edibles
  - ❑ Vape products
  - ❑ Pregnancy and breastfeeding product warnings
  - ❑ Adult-use concentrates

## Cannabis Consumption Lounges

- In 2023, the Cannabis Reform Act authorized the Maryland Cannabis Administration to license on-site cannabis consumption lounges starting May 2024
- The MCA recently published their on-site cannabis consumption site report, which explored the different viable business models for consumption sites.
  - Ultimately recommended changes to Maryland law to ensure these businesses are viable
- Local governments can prohibit these businesses from being licensed in their county or municipality.

## Looking Forward

- Rescheduling of cannabis from schedule I to schedule III
- Presentations and trainings on various public health and cannabis legalization topics
- 2025 legislative session

## Resources

- Maryland residents can submit TA requests regarding smoking in multi-unit dwellings here: <https://mdsmokefreeapartments.org/>
- LRC-Cannabis listserv for announcements regarding trainings, webinars, and factsheets
- Website coming soon!!

# Questions?

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