

SENATE BILL 875

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By: **Senator Folden**

Introduced and read first time: January 28, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Medetomidine and Xylazine Consumer Protection Act**

3 FOR the purpose of prohibiting a retailer from distributing, selling, or exposing for sale a
4 medetomidine product or a xylazine product unless the purchaser provides to the
5 retailer certain proof; prohibiting a retailer from distributing, selling, or exposing for
6 sale a medetomidine product or a xylazine product to an individual under a certain
7 age; requiring a retailer that prepares, distributes, sells, or exposes for sale a
8 medetomidine product or a xylazine product to maintain certain records; requiring
9 the Maryland Department of Health to remit all civil penalties collected for a
10 violation of certain provisions of this Act to the Comptroller to be deposited in the
11 Maryland Substance Abuse Fund; and generally relating to medetomidine and
12 xylazine products.

13 BY repealing and reenacting, without amendments,
14 Article – Health – General
15 Section 8–6A–01(a)
16 Annotated Code of Maryland
17 (2023 Replacement Volume and 2024 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Health – General
20 Section 8–6A–01(b)(3)
21 Annotated Code of Maryland
22 (2023 Replacement Volume and 2024 Supplement)

23 BY adding to
24 Article – Health – General
25 Section 21–2F–01 through 21–2F–03 to be under the new subtitle “Subtitle 2F.
26 Medetomidine and Xylazine Consumer Protection Act”
27 Annotated Code of Maryland
28 (2023 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health – General

8–6A–01.

(a) In this section, “Fund” means the Maryland Substance Abuse Fund.

(b) (3) The Fund consists of [the]:

(I) **THE** fee required under § 6–229 of the Criminal Procedure
Article[,money];

(II) **CIVIL PENALTIES COLLECTED AND REMITTED TO THE
COMPTROLLER UNDER § 21–2F–02(E) OF THIS ARTICLE;**

(III) **MONEY** appropriated in the State budget to the Fund[, all];

(IV) **ALL** earnings from investment of money in the Fund[.]; and
[other]

(V) **ANY OTHER** money accepted for the benefit of the Fund from a
governmental or private source.

SUBTITLE 2F. MEDETOMIDINE AND XYLAZINE CONSUMER PROTECTION ACT.

21–2F–01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

(B) “MEDETOMIDINE PRODUCT” MEANS A PRODUCT CONTAINING ANY
AMOUNT OF MEDETOMIDINE.

(C) (1) “RETAILER” MEANS A PERSON THAT:

(I) SELLS, PREPARES, OR MAINTAINS MEDETOMIDINE
PRODUCTS OR XYLAZINE PRODUCTS; OR

(II) ADVERTISES, REPRESENTS, OR HOLDS ITSELF OUT AS
SELLING, PREPARING, OR MAINTAINING MEDETOMIDINE PRODUCTS AND XYLAZINE
PRODUCTS.

(2) "RETAILER" INCLUDES A MANUFACTURER, A WHOLESALER, A CORPORATION, A PARTNERSHIP, A LIMITED LIABILITY COMPANY, A FIRM, AN ONLINE PLATFORM, OR ANY OTHER BUSINESS ENTITY DOING BUSINESS WITHIN THE STATE.

(D) "XYLAZINE PRODUCT" MEANS A PRODUCT CONTAINING ANY AMOUNT OF XYLAZINE.

21-2F-02.

(A) A RETAILER MAY NOT DISTRIBUTE OR SELL A MEDETOMIDINE PRODUCT OR XYLAZINE PRODUCT UNLESS THE PURCHASER PROVIDES TO THE RETAILER PROOF OF THE PURCHASER'S INTENT TO USE THE MEDETOMIDINE PRODUCT OR XYLAZINE PRODUCT FOR AN INSTITUTIONAL, VETERINARY, OR SCIENTIFIC PURPOSE.

(B) A RETAILER MAY NOT DISTRIBUTE, SELL, OR EXPOSE FOR SALE A MEDETOMIDINE PRODUCT OR A XYLAZINE PRODUCT TO AN INDIVIDUAL UNDER THE AGE OF 21 YEARS.

(C) A RETAILER THAT PREPARES, DISTRIBUTES, SELLS, OR EXPOSES FOR SALE A MEDETOMIDINE PRODUCT OR A XYLAZINE PRODUCT SHALL MAINTAIN RECORDS OF ALL SALES, INCLUDING A COPY OF:

(1) THE IDENTIFICATION USED AS PROOF OF THE PURCHASER'S AGE;
AND

(2) EACH DOCUMENT OR OTHER MATERIAL USED AS PROOF OF THE PURCHASER'S INTENDED USE.

(D) A RETAILER THAT VIOLATES THIS SECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING:

(1) \$3,000 FOR A FIRST VIOLATION; OR

(2) \$6,500 FOR EACH SUBSEQUENT VIOLATION.

(E) THE DEPARTMENT SHALL REMIT ALL CIVIL PENALTIES COLLECTED UNDER SUBSECTION (D) OF THIS SECTION TO THE COMPTROLLER TO BE DEPOSITED IN THE MARYLAND SUBSTANCE ABUSE FUND.

21-2F-03.

1 **THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
2 **SUBTITLE.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2025.