

SENATE BILL 469

A3

4lr1514
CF HB 1474

By: **Senator McCray**

Introduced and read first time: January 22, 2024

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 27, 2024

CHAPTER _____

1 AN ACT concerning

2 **Maryland Cannabis Administration – Cannabis Licensing – Protests of Renewal**

3 FOR the purpose of authorizing certain individuals to file a protest with the Maryland
4 Cannabis Administration against the renewal of a cannabis license; establishing
5 standards and requirements for the Administration’s consideration of a protest filed
6 under this Act; and generally relating to the renewal of cannabis licenses.

7 BY adding to

8 Article – Alcoholic Beverages and Cannabis

9 Section 36–411

10 Annotated Code of Maryland

11 (2016 Volume and 2023 Supplement)

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

14 **Article – Alcoholic Beverages and Cannabis**

15 **36–411.**

16 **(A) (1) A PROTEST AGAINST A LICENSE RENEWAL MAY BE FILED WITH**
17 **THE ADMINISTRATION BY AT LEAST 10 INDIVIDUALS WHO ARE:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(I) RESIDENTS, COMMERCIAL TENANTS WHO ARE NOT
HOLDERS OF OR APPLICANTS FOR A LICENSE, OR REAL ESTATE OWNERS; AND

(II) LOCATED WITHIN 1,000 FEET OF THE LICENSED PREMISES.

(2) A PROTEST AGAINST A LICENSE RENEWAL SHALL:

(I) BE ON THE BASIS OF:

1. A VIOLATION OF THIS TITLE;

2. A VIOLATION OF CIVIL OR CRIMINAL LAW;

3. CONDUCT BY A LICENSEE THAT CREATES OR
MAINTAINS CONDITIONS THAT ALLOW OTHER INDIVIDUALS TO ACT IN A MANNER
THAT DISTURBS THE PUBLIC PEACE, INCLUDING:

A. OBSTRUCTION OF PUBLIC RIGHTS-OF-WAY BY
UNRULY CROWDS;

B. ASSAULT, BATTERY, OR OTHER DISORDERLY
CONDUCT THAT DISTURBS THE PUBLIC PEACE;

C. VANDALISM; OR

D. LITTERING; OR

4. ANY OTHER VIOLATION ESTABLISHED BY THE
ADMINISTRATION BY REGULATION; AND

(II) BE SIGNED UNDER OATH.

(B) (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2) OF THIS
SUBSECTION, IF A PROTEST AGAINST A LICENSE RENEWAL IS FILED AT LEAST 30
DAYS BEFORE THE LICENSE EXPIRES, THE ADMINISTRATION MAY NOT APPROVE THE
RENEWAL WITHOUT HOLDING A HEARING.

(2) THE ADMINISTRATION MAY APPROVE A LICENSE RENEWAL
WITHOUT A HEARING IF THE ADMINISTRATION FINDS THAT THE BASIS OF THE
PROTEST FILED AGAINST THE RENEWAL LACKS SUBSTANCE.

(C) TO HEAR AND MAKE A DETERMINATION ON A PROTEST FILED AGAINST
A LICENSE RENEWAL, THE ADMINISTRATION:

1 **(1) MAY CONSIDER ONLY:**

2 **(I) ISSUES ARISING OUT OF SPECIFIC COMPLAINTS ABOUT THE**
3 **OPERATION OF THE LICENSED PREMISES; AND**

4 **(II) THE PERFORMANCE OF THE LICENSE HOLDER FOR THE**
5 **4-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF THE RENEWAL**
6 **APPLICATION; AND**

7 **(2) MAY NOT CONSIDER ZONING ISSUES.**

8 **(D) THE ADMINISTRATION MAY ADOPT REGULATIONS TO IMPLEMENT THIS**
9 **SECTION.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.