

Chapter 792

(House Bill 548)

AN ACT concerning

Task Force on Responsible Use of Natural Psychedelic Substances

FOR the purpose of establishing the Task Force on Responsible Use of Natural Psychedelic Substances to study and make recommendations related to the use of natural psychedelic substances; and generally relating to the Task Force on Responsible Use of Natural Psychedelic Substances.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(a) (1) In this section, “natural psychedelic substances” ~~means~~ includes naturally derived psilocybin, psilocin, dimethyltryptamine, ~~and~~ mescaline, and any other substance determined by the Task Force to be a natural psychedelic substance.

(2) “Natural psychedelic substances” does not include peyote.

(b) There is a Task Force on Responsible Use of Natural Psychedelic Substances.

(c) The Task Force consists of the following members:

(1) ~~two members~~ one member of the Senate of Maryland; who shall be appointed by the President of the Senate;

~~and~~ (i) ~~one of which shall be appointed by the President of the Senate;~~

(ii) ~~one of which shall be appointed by the Minority Leader of the Senate;~~

(2) ~~two members~~ one member of the House of Delegates; who shall be appointed by the Speaker of the House;

(i) ~~one of which shall be appointed by the Speaker of the House; and~~

(ii) ~~one of which shall be appointed by the Minority Leader of the House;~~

(3) the Secretary of Health, or the Secretary’s designee;

~~(4) the Secretary of Agriculture, or the Secretary’s designee;~~

~~(5)~~ (4) the Secretary of Disabilities, or the Secretary's designee;

~~(6)~~ ~~the Secretary of Human Services, or the Secretary's designee;~~

~~(7)~~ (5) the Secretary of Veterans Affairs, or the Secretary's designee;

~~(8)~~ (6) the ~~Executive~~ Director of the Maryland Cannabis Administration, or the ~~Executive~~ Director's designee; and

~~(9)~~ (7) the following members, appointed by the Governor:

(i) one representative of the University System of Maryland ~~or~~ the Johns Hopkins University's Center for Psychedelic and Consciousness Research, or Sheppard Pratt;

(ii) one representative of a ~~federally recognized~~ Native American tribe ~~in the State~~ with experience in the religious and spiritual use of psychedelic substances;

~~(iii)~~ ~~one individual with expertise in public health;~~

~~(iv)~~ (iii) one individual with expertise in behavioral health;

~~(v)~~ (iv) one individual with expertise in the treatment of substance use disorders;

~~(vi)~~ (v) one individual with expertise in the treatment of chronic pain;

~~(vii)~~ (vi) one individual with expertise in psychedelic-assisted psychotherapy;

~~(viii)~~ (vii) one individual with expertise in psychedelic research;

~~(ix)~~ (viii) one individual with expertise in access to care in underserved communities;

~~(x)~~ ~~one individual with expertise in harm reduction strategies for individuals with a substance use disorder;~~

~~(xi)~~ (ix) one individual with expertise in drug policy reform;

~~(xii)~~ ~~one individual with expertise in the religious and spiritual use of psychedelic substances;~~

~~(xiii)~~ (x) one individual with expertise as a member of law enforcement; ~~and~~

~~(xiv)~~ (xi) ~~two individuals who are patients~~ one individual who is a patient with conditions that can be treated with psychedelic substances;

(xii) one individual with experience with the pharmacology of natural psychedelic substances; and

(xiii) one physician with experience with the appropriate use of psychedelic substances and other integrative medical practices.

(d) To the extent practicable, the membership of the Task Force shall reflect the socioeconomic, ethnic, and geographic diversity of the State.

(e) The Governor shall designate the chair of the Task Force.

(f) The Maryland ~~Department of Health~~ Cannabis Administration shall provide staff for the Task Force.

(g) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(h) The Task Force shall:

(1) study:

(i) existing laws, policies, and practices relating to the use of natural psychedelic substances;

(ii) the best available science and data on public benefits of responsible access to and use of natural psychedelic substances;

(iii) opportunities to maximize public benefits of responsible access to and use of natural psychedelic substances;

(iv) the best available data on potential risks of access to and use of natural psychedelic substances;

(v) opportunities to mitigate potential risks of access to and use of natural psychedelic substances; and

(vi) barriers health care practitioners and facilitators may encounter relating to natural psychedelic substances, including barriers relating to insurance, restrictions by licensing and credentialing entities, zoning, advertising, and financial services;

(2) make recommendations regarding any changes to State law, policy, and practices needed to create a Maryland Natural Psychedelic Substance Access Program that enables broad, equitable, and affordable access to psychedelic substances, including:

(i) permitting requirements, including requirements regarding education and safety;

(ii) access to treatment and regulated support; and

(iii) production of natural psychedelic substances;

~~(3) make recommendations to establish requirements for a Natural Psychedelic Permit, including:~~

~~(i) educational curricula to ensure the safe use of natural psychedelic substances, including curricula relating to the testing of, proper dosage of, and usage setting for such substances;~~

~~(ii) learning assessments to ensure knowledge, skills, and abilities gained by Natural Psychedelic Permit applicants before the issuance of a permit;~~

~~(iii) existing infrastructure that may be used for the delivery of educational and testing material;~~

~~(iv) existing organizations and groups willing and able to develop educational curricula and learning assessments; and~~

~~(v) quantities of natural psychedelic substances that Natural Psychedelic Permit holders may possess, use, grow, and gift without supervision;~~

~~(4) make recommendations for therapeutic and licensed support for adult use of natural psychedelic substances, allowing individuals the ability to obtain treatment involving the use of psychedelic materials under the supervision and guidance of experienced, trained, and licensed therapists and facilitators;~~

~~(5) make recommendations for establishing requirements related to the production of natural psychedelic substances, including:~~

~~(i) regulations for growing natural psychedelic substances in accordance with agricultural safety standards; and~~

~~(ii) testing and packaging requirements for products containing natural psychedelic substances with clear and accurate labeling of potency;~~

~~(6) make recommendations for the sale and taxation of natural psychedelic substances, including:~~

~~(i) restricting the sales of natural psychedelic substances to Natural Psychedelic Permit holders;~~

~~(ii) systems for the sale and reasonable taxation of natural psychedelic substances to cover the cost of a Maryland Natural Psychedelic Substance Access Program;~~

~~(iii) systems to support statewide online sales of natural psychedelic substances with home delivery; and~~

~~(iv) options for retail stores that sell natural psychedelic substances in communities in the State and opt to participate in the online sale and home delivery of the substances; and~~

~~(7)~~ (3) make recommendations to transition from criminalizing conduct involving natural psychedelic substances, including:

(i) punishing with civil penalties nonviolent infractions involving the planting, cultivating, purchasing, transporting, distributing, or possessing of or other engagement with natural psychedelic substances;

(ii) expunging the records of Marylanders with convictions for nonviolent criminal offenses relating to natural psychedelic substances; and

(iii) releasing Marylanders incarcerated for nonviolent criminal offenses relating to natural psychedelic substances.

(i) The Task Force may consult with experts and stakeholders in conducting its duties.

~~(4)~~ (j) On or before ~~December 15~~ July 31, 2025, the Task Force shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024. It shall remain effective for a period of 2 years and 6 months and, at the end of ~~June 30, 2026~~ December 31, 2026, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, May 16, 2024.