

HOUSE BILL 1147

J1

3lr1435

By: **Delegates Mangione, Chisholm, Ghrist, and McComas**

Introduced and read first time: February 10, 2023

Assigned to: Economic Matters and Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Cannabis Programs – Cannabis-Induced Psychosis and THC**
3 **Concentration Limit**

4 FOR the purpose of requiring a certain cannabis oversight agency to, by regulation,
5 establish a monitoring and prevention procedure to ensure that individuals who have
6 been diagnosed with cannabis-induced psychosis cannot purchase cannabis or
7 cannabis products through the State's medical cannabis program or adult-use
8 cannabis program; requiring the cannabis oversight agency to, by regulation,
9 prohibit any cannabis or cannabis product sold through the State's adult-use
10 cannabis program from containing greater than a certain concentration of
11 delta-9-tetrahydrocannabinol; and generally relating to cannabis.

12 BY adding to
13 Article – Health – General
14 Section 23-101 through 23-103 to be under the new title “Title 23. Cannabis”
15 Annotated Code of Maryland
16 (2019 Replacement Volume and 2022 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Health – General
19 Section 13-3302(a) through (c)
20 Annotated Code of Maryland
21 (2019 Replacement Volume and 2022 Supplement)

22 BY adding to
23 Article – Health – General
24 Section 13-3302(i)
25 Annotated Code of Maryland
26 (2019 Replacement Volume and 2022 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

TITLE 23. CANNABIS.

23–101.

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

(B) (1) “CANNABIS” MEANS THE PLANT CANNABIS SATIVA L. AND ANY
PART OF THE PLANT, INCLUDING ALL DERIVATIVES, EXTRACTS, CANNABINIDS,
ISOMERS, ACIDS, SALTS, AND SALTS OF ISOMERS, WHETHER GROWING OR NOT, WITH
A DELTA–9–TETRAHYDROCANNABINOL CONCENTRATION GREATER THAN 0.3% ON A
DRY WEIGHT BASIS.

(2) “CANNABIS” DOES NOT INCLUDE HEMP AS DEFINED IN § 14–101
OF THE AGRICULTURE ARTICLE.

(C) “CANNABIS OVERSIGHT AGENCY” MEANS THE STATE AGENCY THAT
OVERSEES THE STATE’S MEDICAL CANNABIS PROGRAM AND ADULT–USE CANNABIS
PROGRAM.

(D) “CANNABIS PRODUCTS” MEANS PRODUCTS THAT ARE COMPOSED OF
CANNABIS, CANNABIS CONCENTRATE, OR CANNABIS EXTRACT AND OTHER
INGREDIENTS AND ARE INTENDED FOR USE OR CONSUMPTION, INCLUDING EDIBLE
PRODUCTS, OINTMENTS, AND TINCTURES.

23–102.

THE CANNABIS OVERSIGHT AGENCY SHALL, BY REGULATION, ESTABLISH A
MONITORING AND PREVENTION PROCEDURE TO ENSURE THAT INDIVIDUALS WHO
HAVE BEEN DIAGNOSED WITH CANNABIS–INDUCED PSYCHOSIS CANNOT PURCHASE
CANNABIS OR CANNABIS PRODUCTS THROUGH THE STATE’S MEDICAL CANNABIS
PROGRAM OR ADULT–USE CANNABIS PROGRAM.

23–103.

THE CANNABIS OVERSIGHT AGENCY SHALL, BY REGULATION, PROHIBIT ANY
CANNABIS OR CANNABIS PRODUCT SOLD THROUGH THE STATE’S ADULT–USE
CANNABIS PROGRAM FROM CONTAINING A DELTA–9–TETRAHYDROCANNABINOL
CONCENTRATION GREATER THAN 15%.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

13–3302.

(a) There is a Natalie M. LaPrade Medical Cannabis Commission.

(b) The Commission is an independent commission that functions within the Department.

(c) The purpose of the Commission is to develop policies, procedures, guidelines, and regulations to implement programs to make medical cannabis available to qualifying patients in a safe and effective manner.

(I) THE COMMISSION SHALL, BY REGULATION, ESTABLISH A MONITORING AND PREVENTION PROCEDURE TO ENSURE THAT NO INDIVIDUAL WHO HAS BEEN DIAGNOSED WITH CANNABIS-INDUCED PSYCHOSIS MAY PURCHASE MEDICAL CANNABIS.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 2023, contingent on the taking effect of Chapter ____ (S.B. 516) (H.B. 556) of the Acts of the General Assembly of 2023. If Section 1 of this Act takes effect, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further effect.

SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this Act, this Act shall take effect October 1, 2023.