

**The Legal Resource Center for Public Health Policy – Cannabis** provides educational materials on issues concerning cannabis law and policy. This resource provides a summary of critical cannabis bills from Maryland’s 2025 legislative session and focuses on the most important public health provisions in each. Bills may be accessed through links provided at the end of this resource.

## PASSED



### **SB 214/HB 12: Cannabis – Sale and Distribution – Tetrahydrocannabinol Offenses (PASSED)**

This bill strengthens the enforcement authority of the Alcohol, Tobacco, and Cannabis Commission over tetrahydrocannabinol (THC) products, such as delta-8 THC and delta-10 THC. THC is the primary psychoactive chemical found in the cannabis plant, and the delta-8 and delta-10 forms of the chemical are often used to produce intoxicating hemp products. This bill authorizes the ATCC to issue citations for selling delta-8 THC and delta-10 THC to individuals under 21 years of age. Except for a licensed dispensary, a person may not sell or distribute a THC product that:

- Is above 0.5 mg of THC per serving or 2.5 mg THC per package; or
- Is advertised as containing more than 0.5 mg THC per serving or 2.5 mg of THC per package.

Additionally, hemp products that are sold outside of licensed cannabis dispensaries must comply with the packaging and labeling requirements that exist for cannabis products.

The ATCC can seize, destroy, or confiscate THC products that violate these rules or that are offered or displayed for sale in a place that is not appropriately licensed to sell THC products. Enforcement may be impacted by a court order limiting ATCC enforcement over certain THC businesses (Maryland Hemp Coalition, Inc. v. Moore, No. C-21-CV-23-348 (Md. Cir. Ct. 2023)).



### **SB 215/HB 132: Cannabis – Reform - Revisions (PASSED)**

Under the 2023 Cannabis Reform Act, on-site consumption establishments were to be licensed in the second round of licensing. Additionally, it allowed on-site consumption establishments to permit the smoking and vaping of cannabis in outdoor areas of the premises.

SB 215 changes the structure and licensing timeline for cannabis on-site consumption establishments in the state. The licensing of on-site consumption establishments is delayed until at least the third round of licensing, which cannot begin until after the second round of licensing has been completed and the MCA has conducted a study of the state cannabis market to determine whether there is sufficient demand to support more cannabis businesses.

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**PASSED**

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## **SB 215/HB 132: Cannabis – Reform – Revisions (PASSED)**

Furthermore, cannabis on-site consumption establishments can only serve single serving edible products and cannot permit smoking or vaping cannabis on the premises, including outdoors (smoking or vaping of tobacco was already prohibited prior to this bill).

In addition to single serving edibles, on-site consumption establishments can offer full food service. Before an on-site consumption establishment can offer food service, it must obtain necessary approvals for operating a food service facility from the political subdivision in which it is located.

An on-site consumption establishment must still obtain local approval before acquiring a license.



## **SB 222/HB 46: Public Health – Cannabis Public Health Advisory Council – Membership (PASSED)**

This bill adds the Administrator of the Motor Vehicle Administration and the Executive Director of the Office of Social Equity, or their designees, as members of the Cannabis Public Health Advisory Council.



## **SB 321/HB 352: Budget Reconciliation and Financing Act of 2025 (PASSED)**

This is the Maryland budget for the next fiscal year. Relevant to the work of cannabis regulation, the budget raises the tax on retail cannabis sales from 9% to 12%. The revenue from this tax is distributed between the Cannabis Public Health Fund, the Community Reinvestment and Repair Fund, the Cannabis Business Assistance Fund, distributions to county governments, and the State general fund.

PASSED



## **SB 432/HB 499: Criminal Records – Expungement and Maryland Judiciary Case Search (Expungement Reform Act of 2025) (PASSED)**

This bill requires the Maryland judiciary to remove the cannabis cases pardoned by the Governor from the State’s publicly accessible online records. It will provide expungement access to individuals who have other criminal records related to cannabis possession during the War on Drugs, as well as those who received probation violations for cannabis use while on probation for other offenses. The bill also adds several misdemeanors to the list of crimes eligible for expungement.



## **SB 894/HB 1364: Office of Social Equity – Community Reinvestment and Repair Fund – Advisory Board and Modifications (PASSED)**

This bill provides that the Office of Social Equity, with the assistance of the Comptroller, will oversee the Community Reinvestment and Repair Fund (CRRF). The CRRF provides funding to local jurisdictions to support community-based initiatives that benefit low-income communities and communities disproportionately impacted by the War on Drugs. The Office will oversee the appropriation of funds and the training of CRRF recipients.

The bill provides guidance on what is a “community-based initiativ[e] intended to benefit low-income communities.” The bill provides that these initiatives include, but are not limited to:

- Behavioral health crisis response services;
- Education and after-school programs;
- Truancy and absenteeism intervention programs;
- Housing and homelessness prevention initiatives;
- Transportation improvements in high-density areas that have public transportation;
- Job training and workforce development programs;
- Community childcare and recreational services; and
- Programs that benefit individuals and families impacted by incarceration.

## PASSED



### **SB 925/HB 413: Criminal Law – Controlled Dangerous Substances and Firearms (PASSED)**

On the topic of cannabis, the bill provides that a person who is 21 years or older may manufacture a personal use amount of cannabis products or concentrated cannabis for personal use or adult sharing within a private residence provided that the manufacturing process does not involve the use of a volatile solvent. A volatile solvent is a solvent that is or produces a flammable gas or vapor, that when present in sufficient quantities, will create explosive or ignitable mixtures. This definition includes butane, hexane, and propane.

This bill also amends several provisions of criminal law related to drug and firearm possession that are not directly related to cannabis.

## FAILED



### **SB 1023/HB 1408: Employment Discrimination – Fire and Rescue Public Safety Employees – Use of Medical Cannabis (FAILED)**

This bill prohibited an employer from disciplining, discharging, or otherwise discriminating against a fire and rescue safety employee based on:

- The employee's possession of a valid written certification for medical cannabis; or
- The employee testing positive for cannabis components or metabolites while holding a valid written certification.

This prohibition does not require the employer to violate federal law or regulations. Nor does it prohibit an employer from adopting policies and procedures that prohibit an employee from performing the employee's duties while impaired by cannabis or from using cannabis on duty.

SB 1023 received a favorable vote from the Senate Finance Committee and passed out of the Senate (31-13). Neither the original House bill nor the Senate bill received a vote from the House Economic Matters Committee.

**FAILED**



## **HB 1377: Cannabis – Advertising – Prohibited Locations (Equity in Cannabis Advertising Act) (FAILED)**

This bill would have repealed the cannabis outdoor advertising prohibition in Maryland. The bill would have allowed cannabis outdoor advertising as long as the advertisement was not within 500 feet of a:

- Substance use treatment facility;
- Primary or secondary school;
- Licensed childcare center or registered family childcare home; or
- Playground, recreational center, library, or public park.

HB 1377 did not receive a vote in the House Economic Matters Committee. A similar bill, HB 880, was withdrawn by its sponsor.

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