




CANNABIS

LEGALIZATION

IN MARYLAND

A Handbook





On April 2022, Maryland

House Bill 1-

Amendment to Maryland's constitution

People in Maryland over 21 can legally have and use cannabis in certain situations.

Voters can pass or strike down HB1 during the general election in November 2022, it will be Question 4 on the ballot. If the amendment is passed, it will become law on July 1, 2023.



General Assembly passed:



House Bill 837-

Requires MD to report on cannabis use in the state and provide rules for cannabis businesses.

Establishes rules for sentencing and expungement for cannabis related offenses.

All of the rules in HB837 will take effect on or before July 1, 2023.



What is legal on July 1, 2023: The possession and use of "Personal Use Amount" of cannabis by Maryland residents who are over the age of 21.

"Personal Use Amount"-

- 1.5 ounces or less of flower
- 12 grams or less of concentrate
- 750 milligrams or less of Delta-9-Tetrahydrocannabinol product (i.e. edibles)

"Civil Use Amount"-

- 1.6 - 2.5 ounces of flower
- 13 - 20 grams of concentrate
- 751 - 1,250 milligrams of Delta-9-Tetrahydrocannabinol product.



What is illegal:

Possession/use of cannabis products by anyone under 21

- Civil, not criminal, offense
- Fine of up to \$250
- Court can order attendance in a drug treatment program

Possession of more than a "Civil Use Amount"


- may be charged with possession with intent to distribute and may result in misdemeanor offense
- fine up to \$1,000
- prison sentence up to 6 months

Smoking cannabis in a public place


- can result in a civil offense and \$250-\$500 fines

Possession of more than two cannabis plants by an individual or household

- may result in a misdemeanor
- fine up to \$5,000
- prison sentence up to 3 years



I'M GOING TO
DO SOMETHING
ABOUT THIS!



Expungement:

People can petition for expungement under these laws if:

- They are convicted of cannabis possession with intent to distribute.
- It has been 3 years after the sentence was satisfied (including parole, probation and supervision).
- By July 1, 2024, the Department of Public Safety and Correctional Services should automatically expunge cases with charges of possession of cannabis that were issued before July 1, 2023.

Police searches:

- As of July 2022, police can legally use the smell of burnt or unburnt cannabis to conduct a search of a person, a car, or other property. This may change by December 2022, depending on an opinion from the Maryland Attorney General.



Full Disclosure:

Cannabis can only be purchased in a state licensed shop.

Sharing cannabis is considered:

- Transferring cannabis between people
- The people involved must be at least 21 years old
- There is no money exchanged. It is a (legal) gift.

*Under this definition, police could possibly charge someone for paying a friend back for picking up cannabis, or paying someone in cannabis for a service.

Medical card holders in the era of recreational weed in MD:

- This remains to be known. We hope to gain more insight into this as we get closer to the November ballot initiative.

Read House Bill 1:

<https://bit.ly/legislation-HB0001>

Read House Bill 837:

<https://bit.ly/legislation-HB0837>

Register to vote:

<https://bit.ly/mdvoter-registration>

*Since 2016, persons who were convicted of a felony regain their right to vote once they have served their court mandated sentence.



<https://www.baltimoreactionlegal.org/>