



PEER EXCHANGE HIGHLIGHTS

January 29, 2025

Topic: 2025 Legislative Session Updates

Brooke Torton, JD, Deputy Director, Legal Resource Center for Public Health Policy & Senior Staff Attorney, Network for Public Health Law-Eastern Region, highlighted SB108 Multifamily Dwellings - Smoking Policies, a bill introduced in the 2025 legislative session. This bill applies to condominiums and co-ops (4 or more units) that are rented or owned. This bill requires a policy covering smoking and vaping that is at least as stringent as state and local laws and covers the following: where smoking is permitted, where it is prohibited, the complaint process, and penalties/fines. Given the large number of students who live in off-campus housing, this bill has the potential to enhance smoking protections around college campuses.

Mat Swinburne, JD, Managing Director, Legal Resource Center for Public Health Policy- Cannabis & Senior Advisor, The Network for Public Health Law-Eastern Region, presented detailed information about HB132/SB215, a bill introduced both in the House and Senate in the 2025 legislative session. HB132/SB215, as initially introduced, would allow for both on-site cannabis consumption establishments and cannabis events across the state.

This bill creates an edibles-only on-site consumption model for adults 21 years of age and older. It also:

- Prohibits the smoking and vaping of cannabis products within these establishments and expressly states that businesses cannot allow an individual who is visibly impaired to consume cannabis;
- Allows businesses to operate as Food Service Facilities, which would allow for the ability to serve regular food as well as edible cannabis products;
- Allows on-site consumption establishments to repackage multi-serve cannabis products into single-serve products;
- Prohibits sell or distribution of cannabis products containing more than a single serving of cannabis (up to 10mg THC/serving); and
- Allows on-site consumption establishments to create single serving edible cannabis products to sell at their business. This could include beverages, hot sauces, infused butter, etc., that could be served alongside regular food.

Importantly, local jurisdictions have the authority to ban on-site cannabis establishments within their community.

Cannabis events are also included in HB132/SB215 and would allow a person to secure a registration from the MCA to host an event where cannabis edibles and cannabinoid beverages can be consumed by adults 21 years of age and older. Cannabis event registration holders are allowed to:

- Host a bring your own cannabis edibles event.
- Sell cannabinoid beverages to adult event attendees.
 - "Cannabinoid beverage" is a single serving cannabis-infused beverage limited to 5mg THC/serving.
 - Still subject to all testing, labeling, and packaging standards for cannabis edibles
 - Non-cannabis entities (i.e., Camden Yards, M&T Bank Stadium, etc.) could host event.
- Host an event with cannabis vendors (processors, dispensaries, etc.).
 - Can only sell edible products – no “sampling.”

- o Entire event must be age restricted to 21 and prohibit the sale of alcohol **or** all cannabis activities must be segregated to an age restricted/alcohol free area of a larger event.
- o Cannabis businesses must secure a vendor permit from MCA at least 30 days prior to event.

There are major concerns about the impact of both on-site consumption establishments as well as cannabis events on college students and the campus community. For edible cannabis products, there is delayed onset of intoxication and increased duration of intoxication in comparison to inhaled products. In addition to transportation-related safety concerns with the delayed onset of cannabis edibles, the potential for proximity of these establishments to college campuses mean that colleges could see increases in cannabis intoxication on campus.

Kathi Hoke, JD, Director, Legal Resource Center for Public Health Policy & Director, Network for Public Health Law-Eastern Region, provided an overview of recent changes in Maryland, both good and bad, as a lead-in for upcoming legislation. Alcohol delivery across the state has created a “loophole” for underaged consumers.

The largest issue for the upcoming session is removal of the ban on alcohol sales in grocery stores, which is supported by Governor Wes Moore. Kathi, along with most public health practitioners in the state, are opposed to lifting this ban for multiple reasons:

- Sobriety: Those who have struggled with addiction would not be able to enter grocery stores without alcohol, posing a risk for relapse
- Advertising to vulnerable populations: Children of all ages would be exposed to alcohol in grocery stores.
- Access: Maryland is not currently lacking in alcohol retailers, and this would only increase availability and accessibility.

There has been much talk about introducing this bill but there has also been opposition – including by the alcohol industry. At the time of this presentation, a bill had not been introduced. Senate and House filing deadlines are approaching, so we should know whether this will get into session soon.