

**HB0135/753825/1**

BY: Senator Carter

AMENDMENTS TO HOUSE BILL 135  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “of” insert “requiring the Office of Social Equity in the Alcohol, Tobacco, and Cannabis Commission to establish and operate a certain program; requiring a court to provide a certain person with certain materials developed by the Office under certain circumstances;”; after line 17, insert:

“BY adding to

Article - Alcoholic Beverages

Section 1–309.1(g)

Annotated Code of Maryland

(2016 Volume and 2022 Supplement)

(As enacted by Chapter \_\_\_\_\_ (S.B. 516)(H.B. 556) of the Acts of the General Assembly of 2023)”.

and after line 23, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–602

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)

(As enacted by Chapter 26 of the Acts of the General Assembly of 2022)”.

AMENDMENT NO. 2

On page 2, after line 17, insert:

“Article – Alcoholic Beverages

1-309.1.

(G) (1) THE OFFICE SHALL ESTABLISH AND OPERATE A PROGRAM THAT PROVIDES EDUCATION, TRAINING, AND OPPORTUNITIES TO ENABLE INDIVIDUALS TO PARTICIPATE IN THE CANNABIS INDUSTRY, INCLUDING INFORMATION ON OBTAINING A SOCIAL EQUITY LICENSE TO WORK IN THE LEGAL CANNABIS INDUSTRY.

(2) THE OFFICE SHALL DEVELOP MATERIALS TO ADVERTISE THE PROGRAM ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

Article – Criminal Law

5-602.

(a) Except as otherwise provided in this title, a person may not:

(1) distribute or dispense a controlled dangerous substance; or

(2) possess a controlled dangerous substance other than cannabis in sufficient quantity reasonably to indicate under all circumstances an intent to distribute or dispense a controlled dangerous substance.

(b) (1) Except as otherwise provided in this title, a person may not possess cannabis in sufficient quantity reasonably to indicate under all circumstances an intent to distribute or dispense cannabis.

(2) Possession of the civil use amount of cannabis or the personal use amount of cannabis without other evidence of an intent to distribute or dispense does not constitute a violation of paragraph (1) of this subsection.

(c) (1) (i) In this subsection, “adult sharing” means transferring cannabis between persons who are 21 years of age or older without remuneration.

(ii) “Adult sharing” does not include instances in which:

1. cannabis is given away contemporaneously with another reciprocal transaction between the same parties;

2. a gift of cannabis is offered or advertised in conjunction with an offer for the sale of goods or services; or

3. a gift of cannabis is contingent on a separate reciprocal transaction for goods or services.

(2) This section does not prohibit, and no civil or criminal penalty may be imposed for, adult sharing of the personal use amount of cannabis.

**(D) FOR A PERSON CONVICTED UNDER THIS SECTION INVOLVING ONLY CANNABIS, AT SENTENCING, THE COURT SHALL PROVIDE THE PERSON WITH ADVERTISING MATERIALS DEVELOPED BY THE OFFICE OF SOCIAL EQUITY IN THE ALCOHOL, TOBACCO, AND CANNABIS COMMISSION UNDER § 1-309.1 OF THE ALCOHOLIC BEVERAGES AND CANNABIS ARTICLE.**

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

On page 9, in line 8, strike “2.” and substitute “3.”.

On page 11, after line 4, insert:

(Over)

“SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2023, contingent on the taking effect of both Section 4 of Chapter 26 of the Acts of the General Assembly of 2022 and Chapter \_\_\_\_\_ (S.B. 516)(H.B. 556) of the Acts of the General Assembly of 2023, and if either Section 4 of Chapter 26 or Chapter \_\_\_\_\_ (S.B. 516)(H.B. 556) does not become effective, Section 1 of this Act, with no further action required by the General Assembly, shall be null and void.”;

in line 5, strike “3.” and substitute “5.”; in the same line, strike “2” and substitute “3”; in line 10, strike “4.” and substitute “6.”; in line 11, strike “Section 3” and substitute “Sections 4 and 5”; and in the same line, strike “October” and substitute “July”.