

HOUSE BILL 855

E1

3lr1988

By: **Delegate Moon**

Introduced and read first time: February 9, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Cannabis Limits**

3 FOR the purpose of altering, with respect to certain civil offenses involving cannabis, the
4 definitions of “civil use amount” and “personal use amount” to include one or more
5 combinations of certain amounts of cannabis; and generally relating to cannabis.

6 BY repealing and reenacting, without amendments,
7 Article – Criminal Law
8 Section 5–101(a)
9 Annotated Code of Maryland
10 (2021 Replacement Volume and 2022 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Criminal Law
13 Section 5–101(e–2) and (u)
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2022 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Criminal Law
18 Section 5–101(e–2) and (u)
19 Annotated Code of Maryland
20 (2021 Replacement Volume and 2022 Supplement)
21 (As enacted by Chapter 26 of the Acts of the General Assembly of 2022)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That the Laws of Maryland read as follows:

24 **Article – Criminal Law**

25 5–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this title the following words have the meanings indicated.

2 (e-2) "Civil use amount" means **ONE OR MORE OF THE FOLLOWING:**

3 (1) an amount of usable cannabis that exceeds 1.5 ounces but does not
4 exceed 2.5 ounces;

5 (2) an amount of concentrated cannabis that exceeds 12 grams but does not
6 exceed 20 grams; or

7 (3) an amount of cannabis products containing
8 delta-9-tetrahydrocannabinol that exceeds 750 milligrams but does not exceed 1,250
9 milligrams.

10 (u) "Personal use amount" means **ONE OR MORE OF THE FOLLOWING:**

11 (1) an amount of usable cannabis that does not exceed 1.5 ounces;

12 (2) an amount of concentrated cannabis that does not exceed 12 grams; or

13 (3) an amount of cannabis products containing
14 delta-9-tetrahydrocannabinol that does not exceed 750 milligrams.

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

17 **Article – Criminal Law**

18 5-101.

19 (a) In this title the following words have the meanings indicated.

20 (e-2) "Civil use amount" means **ONE OR MORE OF THE FOLLOWING:**

21 (1) an amount of usable cannabis that exceeds 1.5 ounces but does not
22 exceed 2.5 ounces;

23 (2) an amount of concentrated cannabis that exceeds 12 grams but does not
24 exceed 20 grams; or

25 (3) an amount of cannabis products containing
26 delta-9-tetrahydrocannabinol that exceeds 750 milligrams but does not exceed 1,250
27 milligrams.

28 (u) "Personal use amount" means **ONE OR MORE OF THE FOLLOWING:**

- 1 (1) an amount of usable cannabis that does not exceed 1.5 ounces;
- 2 (2) an amount of concentrated cannabis that does not exceed 12 grams;
- 3 (3) an amount of cannabis products containing
4 delta-9-tetrahydrocannabinol that does not exceed 750 milligrams; or
- 5 (4) two or fewer cannabis plants.

6 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
7 effect July 1, 2023, contingent on the taking effect of Section 4 of Chapter 26 of the Acts of
8 the General Assembly of 2022. If the effective date of Section 4 of Chapter 26 is amended,
9 Section 2 of this Act shall take effect on the taking effect of Section 4 of Chapter 26. If
10 Section 2 of this Act takes effect, Section 1 of this Act, with no further action required by
11 the General Assembly, shall be abrogated and of no further force and effect.

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