

HOUSE BILL 922

C8

(3lr2154)

ENROLLED BILL
— *Economic Matters/Finance* —

Introduced by **Delegates Buckel and Hornberger**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Economic Development – Program Participation – Cannabis Business**
3 **Establishments**

4 FOR the purpose of prohibiting the Department of Commerce from denying certain
5 cannabis business entities conducting business in the State certain economic
6 development program benefits under certain circumstances; clarifying the eligibility
7 of certain cannabis business entities conducting business in the State under the Job
8 Creation and One Maryland programs; prohibiting the Department from refusing to
9 certify certain cannabis business entities conducting business in the State to
10 participate in the More Jobs for Marylanders Program under certain circumstances;
11 authorizing certain cannabis business entities to reapply for benefits under certain
12 economic development programs; and generally relating to the ability of cannabis
13 business entities to participate in economic development programs in the State.

14 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Article – Economic Development
2 Section 5–101, 6–303(b)(1)(ii)12., and 6–402(b)(3)(xii) and (xiii)
3 Annotated Code of Maryland
4 (2018 Replacement Volume and 2022 Supplement)

5 BY repealing and reenacting, without amendments,
6 Article – Economic Development
7 Section 6–303(b)(1)(ii)13.
8 Annotated Code of Maryland
9 (2018 Replacement Volume and 2022 Supplement)

10 BY adding to
11 Article – Economic Development
12 Section 6–303(b)(1)(ii)14., 6–402(b)(3)(xiv), and 6–803(a–1)
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2022 Supplement)

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

17 **Article – Economic Development**

18 5–101.

19 (a) The Department shall administer the State’s economic development and
20 growth funds to facilitate the attraction, creation, expansion, and retention of businesses
21 and jobs in the State.

22 (b) The Department shall encourage local governments to develop, and assist
23 local governments in developing, strategic plans for economic development.

24 (c) **(1) THE DEPARTMENT MAY NOT DENY A BUSINESS ENTITY**
25 **CONDUCTING A TRADE OR A BUSINESS AS A MEDICAL CANNABIS GROWER,**
26 **PROCESSOR, OR DISPENSARY OR ANY OTHER CANNABIS ESTABLISHMENT LICENSED**
27 **BY THE STATE A PROGRAM BENEFIT UNDER THIS TITLE SOLELY BECAUSE THE**
28 **BUSINESS ENTITY IS A CANNABIS ESTABLISHMENT, IF THE BUSINESS ENTITY**
29 **OTHERWISE SATISFIES THE REQUIREMENTS OF THE PROGRAM, INCLUDING ANY**
30 **INDUSTRY SECTOR SPECIFIC REQUIREMENTS.**

31 **(2) IF, BEFORE JULY 1, 2023, A BUSINESS ENTITY DESCRIBED UNDER**
32 **PARAGRAPH (1) OF THIS SUBSECTION WAS DENIED A PROGRAM BENEFIT UNDER THIS**
33 **TITLE SOLELY BECAUSE THE BUSINESS ENTITY WAS A CANNABIS ESTABLISHMENT,**
34 **THE BUSINESS ENTITY MAY REAPPLY FOR THE PROGRAM.**

35 6–303.

1 (b) To be eligible for a tax credit under this subtitle:

2 (1) a person shall establish or expand a business facility in the State that:

3 (ii) is primarily engaged in:

4 12. business services, if the business facility established or
5 expanded is located in a State priority funding area; [or]

6 13. entertainment, recreation, cultural, or tourism-related
7 activities in a multi-use facility located within a revitalization area if the facility:

8 A. generates a minimum of 1,000 new full-time equivalent
9 filled positions in a 24-month period; and

10 B. is not primarily used by a professional sports franchise or
11 for gaming; or

12 **14. THE GROWTH, PROCESSING, OR DISPENSING OF**
13 **CANNABIS IN ACCORDANCE WITH THE LAWS OF THE STATE; OR**

14 6-402.

15 (b) To be eligible for a project tax credit, a person shall:

16 (3) be primarily engaged at the new or expanded business facility in any
17 combination of:

18 (xii) warehousing; [or]

19 (xiii) other business services; OR

20 **(XIV) THE GROWTH, PROCESSING, OR DISPENSING OF CANNABIS**
21 **IN ACCORDANCE WITH THE LAWS OF THE STATE.**

22 6-803.

23 **(A-1) (1) THE DEPARTMENT MAY NOT REFUSE TO CERTIFY A BUSINESS**
24 **ENTITY CONDUCTING A TRADE OR A BUSINESS AS A MEDICAL CANNABIS GROWER,**
25 **PROCESSOR, OR DISPENSARY OR ANY OTHER CANNABIS ESTABLISHMENT LICENSED**
26 **BY THE STATE SOLELY BECAUSE THE BUSINESS ENTITY IS A CANNABIS**
27 **ESTABLISHMENT, IF THE BUSINESS ENTITY OTHERWISE SATISFIES THE**
28 **REQUIREMENTS OF THIS SUBTITLE.**

1 **(2) IF, BEFORE JULY 1, 2023, A BUSINESS ENTITY DESCRIBED UNDER**
 2 **PARAGRAPH (1) OF THIS SUBSECTION WAS DENIED CERTIFICATION UNDER THIS**
 3 **SUBTITLE SOLELY BECAUSE THE BUSINESS ENTITY WAS A CANNABIS**
 4 **ESTABLISHMENT, THE BUSINESS ENTITY MAY REAPPLY TO THE DEPARTMENT FOR**
 5 **CERTIFICATION.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 7 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.