

Introduced 06.5.2023
Public Hearing 06.20.2023
Council Action 07.05.2023
Executive Action 07.07.2023
Effective Date 09.06.2023

County Council of Howard County, Maryland

2023 Legislative Session

Legislative Day No. 7

Bill No. 32 -2023

Introduced by: Opel Jones

AN ACT creating an Adult-Use Cannabis Advisory Panel; specificizing the duties and responsibilities of the Advisory Panel; providing for the membership and staffing of the Advisory Panel; establishing requirements for meetings and reports; and generally related to the Adult-Use Cannabis Advisory Panel.

Introduced and read first time June 5, 2023. Ordered posted and hearing scheduled.
By order Michelle Harrod
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on June 20, 2023.

By order Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on July 5, 2023 and Passed , Passed with amendments _____, Failed _____.

By order Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 6 day of July, 2023 at 2 a.m./p.m.

By order Michelle Harrod
Michelle Harrod, Administrator

Approved/ Vetoed by the County Executive July 7, 2023

Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3
4 *By adding:*

5 *Title 6. County Executive and the Executive Branch.*

6 *Subtitle 3. Boards and Commissions.*

7 *Section 6.350. Adult-Use Cannabis Advisory Panel.*

8 *Title 12. Health and Human Services.*

9 *Subtitle 24. Adult-Use Cannabis.*

10 *Section 12.2400. Adult-Use Cannabis Advisory Panel.*

11
12 **Title 6. County Executive and the Executive Branch.**

13 **Subtitle 3. Boards and Commissions.**

14
15 **SECTION 6.350. ADULT-USE CANNABIS ADVISORY PANEL.**

16 THERE IS AN ADULT-USE CANNABIS ADVISORY PANEL. ITS MEMBERSHIP, DUTIES, AND
17 RESPONSIBILITIES ARE SET FORTH IN SECTION 12.2400 OF THIS CODE.

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19 **Title 12. Health and Social Services.**

20 **SUBTITLE 24. ADULT-USE CANNABIS.**

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22 **SECTION 12.2400. ADULT-USE CANNABIS ADVISORY PANEL.**

23 (A) *GENERAL PROVISIONS.* GENERAL PROVISIONS APPLICABLE TO THE ADVISORY PANEL ARE SET
24 FORTH IN SUBTITLE 3, "BOARDS AND COMMISSIONS," OF TITLE 6, "COUNTY EXECUTIVE AND
25 THE EXECUTIVE BRANCH" OF THIS CODE.

26 (B) *PURPOSE.* THE PURPOSE OF THE ADVISORY PANEL IS TO STUDY THE IMPLEMENTATION OF
27 ADULT-USE CANNABIS IN THE COUNTY AND MAKE RECOMMENDATIONS ON HOW THE
28 COUNTY CAN PROMOTE HEALTH, PUBLIC SAFETY, BUSINESS, AND SOCIAL AND RACIAL
29 EQUITY IN THE ADULT-USE MARKET.

30 (C) *NUMBER OF MEMBERS.* THE ADVISORY PANEL SHALL CONSIST OF A MINIMUM OF TWELVE
31 MEMBERS AND A MAXIMUM OF TWENTY MEMBERS.

1 (D) *MEMBERSHIP.* THE ADVISORY PANEL SHALL BE COMPRISED OF:

2 (1) THE FOLLOWING *EX OFFICIO* MEMBERS;

- 3 (I) THE COUNTY CHIEF OF POLICE, OR THE CHIEF'S DESIGNEE;
- 4 (II) THE STATE'S ATTORNEY, OR THE STATE'S ATTORNEY'S DESIGNEE;
- 5 (III) THE EXECUTIVE DIRECTOR OF THE ECONOMIC DEVELOPMENT AUTHORITY,
6 OR THE CEO'S DESIGNEE;
- 7 (IV) THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING, OR THE
8 DIRECTOR'S DESIGNEE; AND
- 9 (V) THE HEALTH OFFICER, OR THE HEALTH OFFICER'S DESIGNEE.

10 (2) THE FOLLOWING APPOINTED MEMBERS WHO LIVE OR ARE EMPLOYED IN HOWARD
11 COUNTY:

- 12 (I) AT LEAST THREE MEMBERS THAT HAVE SUBSTANTIAL EXPERIENCE IN ONE
13 OR MORE OF THE FOLLOWING:
 - 14 1. CANNABIS LAW, SCIENCE, OR POLICY;
 - 15 2. PUBLIC HEALTH OR HEALTH CARE;
 - 16 3. AGRICULTURE;
 - 17 4. LOCAL BUSINESS;
 - 18 5. FINANCE; OR
 - 19 6. ADDICTION TREATMENT;
- 20 (II) AT LEAST TWO MEMBERS WHO HAVE OR HAVE HAD STATE LICENSES TO
21 OPERATE CANNABIS DISPENSARIES, PROCESSING FACILITIES, GROWING
22 FACILITIES, OR ON-SITE CONSUMPTION FACILITIES IN HOWARD COUNTY;
- 23 (III) AT LEAST ONE MEMBER WHO REPRESENTS AN ORGANIZATION THAT
24 ADVOCATES ON BEHALF OF PATIENTS WHO ENGAGE IN THE MEDICAL USE OF
25 CANNABIS; AND
- 26 (IV) AT LEAST ONE MEMBER WHO REPRESENTS AN ORGANIZATION THAT
27 ADVOCATES ON BEHALF OF CONSUMERS WHO ENGAGE IN THE ADULT USE
28 OF CANNABIS.

29 (E) *METHOD OF APPOINTMENT.* EACH APPOINTED MEMBER SHALL BE APPOINTED BY THE COUNTY
30 EXECUTIVE AND CONFIRMED BY THE COUNCIL.

- 1 (F) *TERMS.* APPOINTED MEMBERS OF THE BOARD SHALL SERVE OVERLAPPING TERMS OF THREE
2 YEARS OR UNTIL A SUCCESSOR IS CONFIRMED AS PROVIDED IN SECTION 6.300 OF THIS CODE.
- 3 (G) *STAFF.* THE COUNTY EXECUTIVE SHALL DESIGNATE PERSONNEL TO SERVE AS STAFF SUPPORT
4 FOR THE BOARD.
- 5 (H) *MEETINGS.* THE ADVISORY PANEL SHALL MEET AT LEAST QUARTERLY PER YEAR.
- 6 (I) *DUTIES.* THE ADVISORY PANEL SHALL:
- 7 (1) REVIEW DATA AND ANALYZE THE IMPLEMENTATION OF ADULT-USE CANNABIS IN
8 HOWARD COUNTY, INCLUDING THE EFFECTS ON CITIZENS OF THE COUNTY WITH
9 RESPECT TO HEALTH, PUBLIC SAFETY, LAND USE, BUSINESS, AND SOCIAL AND RACIAL
10 EQUITY IN THE ADULT-USE MARKET;
- 11 (2) STUDY BEST PRACTICES FROM OTHER JURISDICTIONS;
- 12 (3) ACT AS AN ADVOCATE ON BEHALF OF THE PANEL ON ISSUES RELATED TO ADULT-USE
13 CANNABIS;
- 14 (4) UNDERTAKE ACTIVITIES WHICH WILL EDUCATE AND INCREASE PUBLIC AWARENESS OF
15 CHANGES IN STATE LAW;
- 16 (5) MONITOR THE DEVELOPMENT OF AN EQUITABLE AND SAFE ADULT-USE CANNABIS
17 MARKET; AND
- 18 (6) PROPOSE ACTIONS THE COUNTY EXECUTIVE AND COUNTY COUNCIL CAN TAKE TO BEST
19 GUIDE THE ADULT-USE CANNABIS MARKET.
- 20 (J) *ANNUAL REPORT.* ON OR BEFORE JULY 1 OF EACH YEAR, THE ADVISORY PANEL SHALL
21 SUBMIT AN ANNUAL REPORT WHICH SHALL COMPLY WITH THE REQUIREMENTS OF SECTION
22 22.1000 OF THIS CODE TO THE COUNTY COUNCIL AND THE COUNTY EXECUTIVE ON ITS
23 ACTIVITIES DURING THE PREVIOUS CALENDAR YEAR. THE REPORT MAY INCLUDE
24 RECOMMENDATIONS ON ANY MATTER RELATED TO THE WORK OF THE ADVISORY PANEL.

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26 ***Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that,***
27 *to establish the stagger of terms of the initial appointees required by Section 12.2400 (f) of this*
28 *Act to the Adult-Use Cannabis Advisory Panel, at least 4 appointees shall have a term of 1 year,*
29 *at least 4 appointees shall have a term of 2 years, and at least 4 appointees shall have a term of*
30 *3 years, as provided in the Resolutions that confirm the appointments.*

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1 ***Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland,***
2 ***that this Act shall become effective 61 days after its enactment.***

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BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on _____, 2023.

Michelle R. Harrod
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2023.

Michelle R. Harrod
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2023.

Michelle R. Harrod
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2023.

Diane Schwartz Jones
Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2023.

Michelle R. Harrod
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2023.

Michelle R. Harrod
Michelle R. Harrod, Administrator to the County Council