



# Legislative Update for Cannabis Public Health Advisory Council

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## HB640-Mandated Reports, Boards, and Commissions – Revisions

- Removes the Secretary of Agriculture, or the Secretary's designee, from CPHAC (Page 24 of Bill)
- Departmental Bill (Budget and Management)
- Assigned to Government, Labor, and Elections Committee
  - No hearing scheduled currently
  - No cross file currently

## SB439-Employment Discrimination - Fire and Rescue Public Safety Employees - Use of Medical Cannabis

- Who is protected?
- **Fire and Rescue Public Safety Employee**: Firefighter, EMT, Cardiac Rescue Technician, or Paramedic that is employed by
  - A municipal corporation
  - County
  - State
  - State airport authority or
  - Fire control district

## SB439-Employment Discrimination - Fire and Rescue Public Safety Employees - Use of Medical Cannabis

- Based on possession of **written certification** for medical cannabis or **testing positive** for metabolites an **employer may not**
  - Discipline, discharge, or otherwise discriminate against with respect to compensation, terms, or privileges of employment
  - Limit, segregate, or classify in any way that would deprive or tend to deprive of employment opportunities or otherwise adversely effect employee's status as an employee

## SB439-Employment Discrimination - Fire and Rescue Public Safety Employees - Use of Medical Cannabis

- Bill **does not require** an employer to
  - Commit an act that violates federal law or cause the employer to lose monetary or licensing related benefits under federal law
- Bill **does not prevent** an employer from
  - Adopting policies that prohibit employee from
    - Performing duties while impaired by cannabis
    - Using cannabis while on duty
- If employee reports to work while impaired by cannabis, **must be reported** to the **State Emergency Medical Services**.

## SB439-Employment Discrimination - Fire and Rescue Public Safety Employees - Use of Medical Cannabis

- In a prior session as: [SB1023](#)
  - Only favorable written testimony in committee hearing
  - Passed Senate 31-13
  - Died in the House
- Howard County changed drug policy to provide these protections to their own Fire and Rescue services
- Assigned to Senate Finance Committee
  - No hearing scheduled currently
  - No cross file currently

## HB622-Micro Dispensary Employees and Cannabis Agent Training Programs

- Increases the number of employees a micro dispensary may employ (10 □ 20)
- Changes **Responsible Vendor Training** to **Cannabis Agent Training**
  - Requires trainings focus on relevant
    - administrative and criminal liability and license and court sanctions
    - statutory and regulatory requirements for employees and owners
    - State and local licensing and enforcement
    - public health and safety standards
  - As a result, creates a training relevant to each license category
  - MCA will create requirements for these training via regulation
- Assigned to **Economic Matters Committee**
  - No hearing scheduled currently
  - No cross file currently
  - MCA departmental bill

## HB 544-Cannabis Use in Motor Vehicle With Minor Occupant-Prohibition

- An individual may not smoke, vape, or consume cannabis in a motor vehicle when a minor is an occupant.
  - Misdemeanor crime with up to 1 year in prison and/or \$1,000 fine
- Existing Law
  - Driver prohibited from consuming cannabis in motor vehicle- \$500 fine
  - Passenger cannot smoke cannabis in motor vehicle-\$25 fine
- Assigned to House Judiciary with a **hearing on 2/11**
- No cross file currently
- Introduced last session