

Cannabis Public Health Advisory Council

Bylaws

(Ver: 2, Revised: December 2025)

Article 1: Name

1.1 The Maryland Cannabis Public Health Advisory Council (hereinafter, “Council”).

Article 2: Authority

2.1 The Cannabis Public Health Advisory Council is authorized under Md. Code Ann., Health General Article (“Health Gen.”) §13–4501 through §13–4506.

Article 3: Duties and Functions

3.1 The Council studies the public health impact of adult-use cannabis legalization in Maryland. The Council is also charged with making public health recommendations in the following areas:

- 3.1.1 The promotion and mitigation of youth use of, misuse of, and addiction to cannabis;
- 3.1.2 Data collection and reporting of data that measures the impact of cannabis consumption and legalization;
- 3.1.3 The impact of cannabis legalization on the education, behavioral health, and somatic health of individuals under the age of 21 years;
- 3.1.4 Initiatives to prevent cannabis use by individuals under the age of 21 years, including educational programs for use in schools;
- 3.1.5 Public health campaigns on cannabis;
- 3.1.6 Advertising, labeling, product testing, and quality control requirements;
- 3.1.7 Training for healthcare providers related to cannabis use;
- 3.1.8 Best Practices regarding requirements to reduce the appeal of cannabis to minors, including advertising, potency, packaging, and labeling standards; and
- 3.1.9 Any other issues that advance public health related to cannabis use and legalization.

3.2 Specific duties and functions include:

- 3.2.1 Conducting studies and making recommendations as set forth in Md. Code, HG § 13-4504.
- 3.2.2 Submitting a report of recommendations and the Council activities to the Governor and General Assembly on or before December 1 of every year.
- 3.2.3 Providing information to be incorporated into educational materials located at on-site consumption establishments as required by law. See Md. Code, Alc. Bev. § 36-407 (h)(1), as amended.

Article 4: Membership

4.1 The Cannabis Public Health Advisory Council consists of ten voting members appointed by the Governor, and nine ex-officio (or their designee) voting members set forth in Health Gen. § 13-4502.

4.1.1 Ten members serve with term limits and include representatives as listed: (1) one representative from the Governor’s Office of Crime Prevention, Youth, and Victims Services, (2) one representative from a historically black college or university, (3) one health care provider with experience in cannabis, (4) one pharmacist licensed in the State, (5) one healthcare provider with expertise in substance use disorder treatment and recovery, (6) one individual with expertise in cannabis use disorder, (7) one academic researcher with expertise in cannabis law and policy, (8) one individual with at least five years of experience in health or social equity, (9) one public health professional with cannabis experience, and (10) one representative of a laboratory that tests cannabis.

4.1.2 Terms. Each member with term limits will:

4.1.2.1 Be allowed to serve two consecutive 4-year terms;

4.1.2.2 Continue to serve at the end of the term until a successor is appointed and qualifies;

4.1.2.3 Serve the rest of the term if appointed after a term has begun and until a successor is appointed and qualifies;

4.1.2.4 Can be reappointed 4 years after the completion of serving two consecutive full 4-year terms.

4.1.2.5 The terms of the Council members will be staggered, as determined by the Governor’s Appointments Office.

4.1.2.6 A member of the Council shall file a financial disclosure statement with the State Ethics Commission in accordance with Title 5, Subtitle 6 of the General Provisions Article.

4.1.3 Nine members serve without term limits: the Secretary of Health or designee, State Superintendent of Schools or designee, Secretary of Agriculture or designee, Deputy Secretary of Behavioral Health Administration or designee, a representative of the Maryland State Senate (appointed by the Senate President), a representative of the House of Delegates (appointed by the Speaker of the House), the Director of the Maryland Cannabis Administration or designee, the Administrator of the Motor Vehicle Administration or designee, and the Executive Director of the Office of Social Equity in the Department of Social and Economic Mobility or designee.

4.1.3.1 By statute, all ex-officio members, or their permanent designees, are voting members. However, these members might be required to abstain from

certain votes if a potential conflict of interest arises related to their respective agency. It is the responsibility of each ex-officio member or their designee to consult with their agency to determine whether participation in a given vote is appropriate. Abstention votes will be recorded in the official voting record. Only the attendance of the appointed official member will count toward the member's fulfillment of the Council's attendance requirements.

4.2 Vacancies.

4.2.1 If a Governor-appointed vacancy occurs, the Maryland Department of Health Appointments Office will be notified, requesting the Governor to promptly appoint a successor. Until a successor is appointed, the Council shall continue to perform its duties with an adjusted quorum. In this instance, an adjusted quorum shall be a majority of the currently occupied Council seats.

4.2.2 If an ex-officio or designee vacancy occurs, the Maryland Department of Health Appointments Office will be notified, requesting the relevant entity promptly name a successor. Until a successor is appointed, the Council shall continue to perform its duties with an adjusted quorum based on the number of occupied Council seats until a successor is appointed by the ex-officio.

4.3 Compensation.

4.3.1 Members may not receive compensation as a member of the Council.

4.3.2 Members are entitled to reimbursement for travel expenses under the Standard State Travel Regulations.

4.4 Council Chair. The Council members will appoint the Council Chair. The Chair will:

4.4.1 Preside at all Council meetings.

4.4.2 Serve a 2-year term, with an election to be held during the second quarterly Council meeting.

4.4.3 Be allowed to run for two consecutive terms.

4.4.4 Be allowed to start their own full 2-year term in the case of a special election to fill a vacancy from a predecessor Chair who did not complete a full term.

4.4.5 Appoint the leaders of the workgroups.

4.4.6 Be trained in and follow the Open Meetings Act.

4.4.7 In the event that a Chair steps down or is unable to fulfill their duties, the Vice Chair shall serve as interim Chair until the next election cycle. If the Vice Chair cannot perform the required duties of Interim Chair, a special election will be held in the next full Council meeting.

4.5 Council Vice Chair. The Vice Chair will:

- 4.5.1 Support the Chair with Council duties.
- 4.5.2 Act as back up for the Chair in their absence.
- 4.5.3 Serve in their role until the end of the two-year term, or until they are unable to perform the required duties.
- 4.5.4 In the event the Chair steps down, the Vice Chair shall serve as Interim Chair.
- 4.5.5 In the event that a Vice Chair steps down or is unable to fulfill their duties, the Chair may name a new Vice Chair. In the event of objections by other Council members to the appointment of the new Vice Chair, this position may either go unfilled or be subject to a series of Council nominations and a vote.
- 4.5.6 Be trained in and follow the Open Meetings Act.

4.6 Removal of Council Chair or Vice Chair.

- 4.6.1 In the event that members are convinced a Chair or Vice Chair is not acting in the best interest of the Council, the Chair or Vice Chair may be removed by the Council.
- 4.6.2 To remove the Chair or Vice chair, a member must put forth a motion to add the topic of removal to the next meeting's agenda. A second member must second the motion for the item to be added to the agenda for the next meeting.
- 4.6.3 The Council will be able to vote on the issue of removal in a closed session in the next meeting. In order to remove a chair, three-quarters majority votes of active members will be required to effect removal.
 - 4.6.3.1 The person in question may participate in the vote to remove.
 - 4.6.3.2 Upon the completed vote to remove, the person in question will be removed from the position of Chair or Vice Chair or will be allowed to remain.

4.7 Workgroups. The Council may form workgroups to assist in the work of the Council.

Workgroups:

- 4.7.1 Will have a member acting in a leadership capacity.
- 4.7.2 Are limited to one member fewer than currently required to meet council quorum.

4.8 Workgroup Leads. The Leads of each workgroup will:

- 4.8.1 Be named by the Chair.
- 4.8.2 Preside at its workgroup meetings.
- 4.8.3 Serve a 2-year term.
- 4.8.4 Be allowed to serve for two consecutive terms, with approval of the Chair.
- 4.8.5 Be trained in and follow the Open Meetings Act.

4.8.6 Provide recommendations to the Council for their final decision on matters. A lead may not take a position on behalf of the Council without approval by a quorum of the full Council.

4.9 The same Council member may serve as Chair of the Cannabis Public Health Advisory Council and lead at least one workgroup.

4.10 Termination. A Governor-appointee or Chair may be removed in accordance with applicable laws and regulations or for failure to comply with the bylaws. The Secretary of the relevant state agency may replace a designee at their discretion.

Article 5: Meetings

5.1 Frequency.

5.1.1 The Council and committees will meet at least four times per year, either in-person, virtually, or hybrid.

5.1.2 Workgroup meetings may be separately scheduled from - and in addition to - meetings of the whole Council.

5.2 Open Meetings Policy.

5.2.1 Meetings of the Council will be governed in accordance with Maryland's Open Meetings Act.

5.2.2 Meetings are open to the general public. The general public may observe, but not participate in Council Meetings. The general public may not vote.

5.2.3 Council members should be trained and follow the Open Meetings Act.

5.2.4 Council meetings will be opened to the public, unless the Council votes to close the session in accordance with Md. Code Ann., General Provisions § 3-305.

5.2.5 Meeting information will be posted to the Council's public webpage.

5.3 Accessibility.

5.3.1 Reasonable accommodations will be made for any Council member or member of the general public with a disability who gives reasonable advance notice to the Department of Health staff and Chair of the Council.

5.4 Attendance.

5.4.1 Governor-appointed Council members will attend at least 50 percent of full Council meetings per calendar year.

5.4.2 Should members not fulfill this requirement, they will be subject to removal from the Council in accordance with Md. State Gov't. 8-501.

5.4.3 Council members are expected to attend at least one workgroup meeting(s) per year.

5.4.4 In the event that a member is unable to attend a meeting, the member may send an alternate representative to participate on their behalf. The alternate representative may contribute to discussions but shall not have voting privileges.

5.4.4.1 Attendance by alternate representatives will be recorded separately from the member's attendance in the meeting minutes. Only the attendance of the official member will count toward the member's fulfillment of the Council's attendance requirements.

5.4.5 The Council will ensure that attendance is:

5.4.5.1 Recorded in the meeting minutes; and

5.4.5.2 Submitted to the Governor's Office and Council at least once per year for Governor-appointed positions.

5.4.5.3 Submitted to the Appointments Office and Council at least once per year for Ex-Officio or their designee positions.

5.5 Quorum. A majority of the members then serving on the Advisory Council or committee is a Quorum.

5.5.1 A quorum need not be present in order for the Council to hold a meeting.

5.5.2 If less than a quorum is present at any meeting, the Chair of the Council will defer matters submitted for a vote until a quorum is present.

5.5.3 During the Maryland legislative session and in any topical ad hoc meetings each year, the quorum shall be maintained on a roving basis, meaning that as long as a majority of Council members are present (on-site or virtually) at any time during the meeting, the meeting will be deemed to have a quorum for the purpose of conducting business.

5.5.3.1 If at any point during this time period the number of Council members present at a meeting falls below the quorum, the meeting may continue with the decisions being valid as long as the quorum is re-established before any votes are taken. If no quorum is present at the time of voting, the matter under discussion shall be tabled until a quorum is present.

5.6 Motions. Any Council member can make a motion when conducting business. A second Council member will second the motion and a majority vote is required for the motion to pass.

5.7 Voting. Each member will be entitled to one vote.

5.7.1 Voting will be in-person, during a virtual or hybrid meeting, or electronically (under special circumstances defined in the meeting where the vote is taken).

5.8 Minutes. The Council will ensure that minutes of its public meetings are:

5.8.1 Recorded (written);

5.8.2 Presented to the Council for approval at the subsequent meeting; and

5.8.3 Made available for public inspection by posting to the Council website upon approval of the Council.

Article 6: Workgroups and Ad hoc groups

6.1 Creation. A workgroup within the Council, or ad hoc group, may be established by the following procedure:

6.1.1 A proposal from at least one Council member who has identified a need; and

6.1.2 A defined scope of work is created for the proposed workgroup; and

6.1.3 A defined time period is established to complete the workgroup deliverables; and

6.1.4 Defining if the workgroup will be temporary or a long-standing committee; and

6.1.5 A majority Council vote to approve a new workgroup by the Council members.

6.2 Purpose. A workgroup cannot take action on behalf of the Council, and is limited to advising, assisting, or making recommendations to the Council.

6.3 Legislative Action. Workgroups may not submit or provide testimony to the General Assembly or other entities on behalf of the Council, without prior Council approval by a quorum or roving quorum.

6.4 Action Plans. Workgroups must develop an action plan to prioritize and carry out Council recommendations.

6.5 Discontinuation. The Council can discontinue a workgroup or ad hoc group by:

6.5.1 A proposal from at least one Council member to discontinue the workgroup; or

6.5.2 Completion of work by the workgroup, reassignment of the work to another workgroup, or agreement that the work is no longer relevant; and

6.5.3 A majority vote of the Council to approve the discontinuation of the workgroup.

Article 7: Amendments

7.1 The Chair will appoint an ad hoc group to review bylaws every two years.

7.1.1 The group will present changes or lack thereof to the Council for a vote.

7.1.2 All revisions to the bylaws will be reviewed for legal sufficiency by the MDH Assistant Attorney General.

7.1.3 If changes are necessary before the two-year review period due to legislative changes or clarifications, or regulatory updates, the changes will be proposed to the full Council for approval.

7.1.4 Each successive version shall be identified using ascending version number and date of approval.

Article 8: Staffing

8.1 The Department of Health shall provide staff and technical assistance to the Council.