

HOUSE BILL 482

E4
HB 73/20 – JUD

2lr1908

By: **Delegate Grammer**

Introduced and read first time: January 21, 2022

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Firearms – Right to Purchase, Own, Possess, and Carry – Medical Cannabis**

3 FOR the purpose of providing that a person may not be denied the right to purchase, own,
4 possess, or carry a firearm solely on the basis that the person is a certain qualifying
5 patient; and generally relating to firearms.

6 BY adding to

7 Article – Public Safety

8 Section 5–701 to be under the new subtitle “Subtitle 7. Miscellaneous”

9 Annotated Code of Maryland

10 (2018 Replacement Volume and 2021 Supplement)

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

13 **Article – Public Safety**

14 **SUBTITLE 7. MISCELLANEOUS.**

15 **5–701.**

16 (A) IN THIS SECTION, “QUALIFYING PATIENT” MEANS A PERSON WHO IS
17 AUTHORIZED TO USE MEDICAL CANNABIS UNDER TITLE 13, SUBTITLE 33 OF THE
18 HEALTH – GENERAL ARTICLE.

19 (B) IN ACCORDANCE WITH § 13–3313(A) OF THE HEALTH – GENERAL
20 ARTICLE, A PERSON MAY NOT BE DENIED THE RIGHT TO PURCHASE, OWN, POSSESS,
21 OR CARRY A FIREARM UNDER THIS TITLE SOLELY ON THE BASIS THAT THE PERSON
22 IS A QUALIFYING PATIENT.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) A STATE AGENCY MAY NOT ACCESS A DATABASE CONTAINING THE**
2 **IDENTITIES OF QUALIFYING PATIENTS TO OBTAIN INFORMATION FOR THE PURPOSE**
3 **OF APPROVING OR DISAPPROVING A PERSON FROM PURCHASING, OWNING,**
4 **POSSESSING, OR CARRYING A FIREARM.**

5 **(D) A STATE AGENCY MAY NOT USE INFORMATION GATHERED FROM A**
6 **DATABASE CONTAINING THE IDENTITIES OF QUALIFYING PATIENTS TO OBTAIN**
7 **INFORMATION FOR THE PURPOSE OF APPROVING OR DISAPPROVING A PERSON**
8 **FROM PURCHASING, OWNING, POSSESSING, OR CARRYING A FIREARM.**

9 **(E) A STATE AGENCY MAY NOT INQUIRE ABOUT A PERSON'S STATUS AS A**
10 **QUALIFYING PATIENT FOR THE PURPOSE OF APPROVING OR DISAPPROVING THE**
11 **PERSON FROM PURCHASING, OWNING, POSSESSING, OR CARRYING A FIREARM.**

12 **(F) ANY FORM USED FOR THE PURPOSE OF APPROVING OR DISAPPROVING**
13 **A PERSON FROM PURCHASING, OWNING, POSSESSING, OR CARRYING A FIREARM**
14 **THAT INQUIRES ABOUT THE APPLICANT'S USE OF CONTROLLED DANGEROUS**
15 **SUBSTANCES SHALL SPECIFICALLY AUTHORIZE A QUALIFYING PATIENT TO REFRAIN**
16 **FROM REPORTING THE USE OF MEDICAL CANNABIS.**

17 **(G) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT MEDICAL**
18 **CANNABIS SHOULD BE TREATED AS LEGAL FOR PURPOSES OF STATE LAW AND THAT**
19 **THE STATE SHOULD NOT PENALIZE A QUALIFYING PATIENT FOR USING THE DRUG**
20 **LEGALLY.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2022.