

MALCOLM P. RUFF  
Legislative District 41  
Baltimore City

Appropriations Committee

Subcommittees

Health and Social Services

Oversight Committee on Pensions



The Maryland House of Delegates  
6 Bladen Street, Room 314  
Annapolis, Maryland 21401  
410-841-3283  
800-492-7122 Ext. 3283  
Malcolm.Ruff@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

February 6<sup>th</sup>, 2026

The Honorable Anthony G. Brown  
Office of the Attorney General  
200 St. Paul Place,  
Baltimore, MD 21202

Dear Attorney General Brown,

The Community Repair and Reinvestment Fund (CRRF) was included in the 2022 legislation that put the legalization of recreational cannabis on the ballot in the 2022 General Gubernatorial Election. The language was adjusted in 2023 in the legislation, which established the framework for the recreational cannabis market, and was amended during the 2025 Maryland General Assembly via SB 894.

The language that was used to establish the CRRF provided broad latitude to jurisdictions to determine how they want to structure and execute their use of the funds from the CRRF. The purpose of this request for an opinion is to clarify the nature of the mandate to local jurisdictions on how they should structure the use of funds from the CRRF.

Specifically, your guidance on the following inquiries would be deeply appreciated:

1. Does the state statute prohibit a local jurisdiction from granting decision making power to a commission of residents regarding the distribution of resources from the CRRF?
2. Does the ordinance that the Baltimore City Council and the Mayor approved to fulfill the mandate of the CRRF sufficiently authorize the "Baltimore Reinvestment and Reparations Commission" with the authority to determine how the resources are distributed?
3. Is there anything about the passage of SB 894 during the 2025 Maryland General Assembly that alters the ability of local jurisdictions to grant decision making authority over the distribution of funds from CRRF?
4. What are the implications of SB 894 deeming that each jurisdiction must submit a plan on how it will spend CRRF resources? Does this render commissions that have been set up to distribute resources from the CRRF as advisory?

Thank you again for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Malcolm P. Ruff". The signature is written in a cursive style with a horizontal line above it.

**Delegate Malcolm P. Ruff**  
Legislative District 41



BRANDON M. SCOTT  
**MAYOR**  
*100 Holliday Street, Room 250  
Baltimore, Maryland 21202*

April 29, 2026

Re: Maryland Code, Alcoholic Beverages and Cannabis, § 1-3A-03

Dear Attorney General Brown,

On June 1, 2025, Senate Bill 894 became effective. That bill amended the State law governing the State Community Reinvestment and Repair Fund (“Fund”), including detailing permitted uses of the Fund and establishing new requirements for counties receiving funding. *See* Md. Code, Alcoholic Beverages and Cannabis (“ABC”), § 1-3A-03(a)(6)(i), (c). In relevant part, the amendments delineated eight categories of community-based initiatives that are eligible for funding, and required each county, including Baltimore City, before distributing money from the Fund, to “develop a plan for the distribution of funds to community-based organizations for use in accordance with this section.” ABC § 1-3A-03(c)(1). This local plan must be “developed in consultation with stakeholders” and be “the subject of a public hearing before” finalization. ABC § 1-3A-03(c)(2)(ii), (c)(2)(iii).

Although it calls for the development of a new local plan, the amended version of the State law retained the previous provision requiring counties to “adopt a law establishing the purpose for which money received from the Fund may be used.” ABC § 1-3A-03(b)(3). The City adopted such a law in 2023, which established a local Community Reinvestment and Reparations Commission (“Commission”). *See* City Code, Art. 1, § 59-2(a). The Commission’s duties included: establishing the purposes for which money disbursed to Baltimore City from the Fund could be used, in accordance with the then-applicable State law; directing the expenditures appropriated for those uses; and preparing and publishing reports required by the State law. *See* City Code, Art. 1, § 59-2(b), (c).

In light of the recent State amendments detailing uses of the Fund and requiring a new local plan before Fund distribution, is it reasonable to conclude that the City’s current Code provisions on Fund uses and related Commission responsibilities are superseded? If so, is it appropriate for the City to develop the required plan via new legislation that replaces the obsolete Code provisions?

Enclosed please find the legal opinion of the Baltimore City Law Department on these questions, which answers both in the affirmative. Please feel free to contact us if you have any questions.

Very truly yours,

Brandon M. Scott  
Mayor of Baltimore City

cc: Ebony M. Thompson, City Solicitor  
Nina Themelis, Mayor's Office of Government Relations  
Amber Greene, Director, Baltimore City Office of Equity and Civil Rights  
Hilary Ruley, Chief Solicitor

Local Government Opinion

The City enacted Ordinance 23-259 (Bill 23-0353) on July 17, 2023, codifying it in Subtitle 59 of Article 1 of the Baltimore City Code. That law established the Community Reinvestment and Reparations Commission ("Commission"). *See* City Code, Art. 1, § 59-2(a). The Commission's duties included: establishing the purposes for which money disbursed to Baltimore City from the State Community Reinvestment and Repair Fund ("Fund") could be used, in accordance with the then-relevant State law, codified at the time in Title 13, Subtitle 46 of the Health—General Article of the Maryland Code; directing the expenditures appropriated for those uses; and preparing and publishing reports required by the State law. *See* City Code, Art. 1, § 59-2(b), (c).

In 2025, the General Assembly enacted Senate Bill 894 which, among other amendments to the State law governing the Fund, further detailed permitted uses of funding and established new requirements for counties receiving funding from the Fund as well as moving the entire scheme into a new Article of the Maryland Code. *See* Md. Code, Alcoholic Beverages and Cannabis ("ABC"), § 1-3A-03(a)(6)(i), (c). In relevant part, the amendments delineated eight categories of community-based initiatives that are eligible for funding, and required each county, including Baltimore City, before distributing money from the Fund, to "develop a plan for the distribution of funds to community-based organizations for use in accordance with this section." ABC § 1-3A-03(c)(1). This local plan must be "developed in consultation with stakeholders" and be "the subject of a public hearing before" finalization. ABC § 1-3A-03(c)(2)(ii), (c)(2)(iii).

Although it calls for the development of a local plan, the amended version of the State law retains the previous provision requiring counties to "adopt a law establishing the purpose for which money received from the Fund may be used." ABC § 1-3A-03(b)(3). Read in harmony with the amended law's delineation of new eligible Fund uses and its requirement for a new local plan *before distribution of funds*, it is reasonable to conclude that a new local law that comports with these new State law amendments is required. *See, e.g., Neal v. Baltimore City Bd. of Sch. Commissioners*, 467 Md. 399, 415 (2020) (statutory construction involves "reading the statute as a whole to ensure that no word, clause, sentence or phrase is rendered surplusage, superfluous, meaningless or nugatory"); *State Dep't of Assessments & Tax'n v. Ellicott-Brandt, Inc.*, 237 Md. 328, 335 (1965) ("The object of judicial interpretation of legislative enactments is to find and give effect to the intention of the legislative body as expressed in the act as a whole and . . . harmonize all parts of the statute, one with the other and make them all, as nearly as may be, consistent with the general scope and purposes of the legislation.").

Although it is unclear whether the new local law must itself comprise the new local plan, or if, instead, the new local law and new local plan can be different—if complementary—tools, it is reasonable to conclude that a local law adopted under the previous iteration of the State law is superseded.<sup>1</sup> Accordingly, whatever previous role the Commission played in determining uses of and directing expenditures from the Fund in City Code, Article 1, Section 59-2(a) is now rendered obsolete

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<sup>1</sup> The State law required the Office of Social Equity within the Office of the Comptroller to adopt regulations to carry out ABC Section 1-3A-03 on or before October 1, 2025, but such regulations were not yet issued as of the date of this letter. *See* ABC § 1-3A-03(c)(3). It is possible such regulations will shed more light on this question.

by the amended State law's delineation of new categories of permitted uses and new requirements for a local plan before Fund distribution.

It would be entirely appropriate for the City to develop the new plan required by the amended State law via new City legislation supplanting the superseded City Code provisions. The City's legislative process has public hearings built in, so that covers the corresponding requirement in State law. *See* ABC § 1-3A-03(c)(2)(ii). As for the requirement that the new plan be developed in consultation with stakeholders, the State law does not further define that term. The City Council thus has discretion in determining the appropriate stakeholders to consult in developing the plan, be it current members of the Commission or others.