

HOUSE BILL 180

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2000 Regular Session
(0lr1187)

ENROLLED BILL
-- Judiciary/Judicial Proceedings --

Introduced by **Delegates Menes and Grosfeld**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER 344

1 AN ACT concerning

2 **Crimes - Drug-Induced Conduct**

3 FOR the purpose of prohibiting a person from administering a controlled dangerous
4 substance or other drug to another without that person's knowledge and ~~with~~
5 ~~the intent to~~ commit certain crimes against that person; establishing certain
6 penalties; establishing that a sentence imposed under this Act may be imposed
7 separate from and consecutive to or concurrent with a sentence for any offense
8 based on the act or acts establishing the violation of this Act; defining a certain
9 term; and generally relating to the administration of certain substances to
10 another ~~with intent to commit a~~ person and committing a certain crime.

11 BY repealing and reenacting, without amendments,
12 Article 27 - Crimes and Punishments
13 Section 277(a) and (m) and 643B(a)
14 Annotated Code of Maryland
15 (1996 Replacement Volume and 1999 Supplement)

1 BY adding to
2 Article 27 - Crimes and Punishments
3 Section 287C
4 Annotated Code of Maryland
5 (1996 Replacement Volume and 1999 Supplement)

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

8 **Article 27 - Crimes and Punishments**

9 277.

10 The following words and phrases as used in this subheading shall have the
11 following meanings unless the context otherwise requires:

12 (a) "Administer" shall mean to introduce a substance into the system of a
13 human being or animal by injection, inhalation, ingestion, application to the skin, or
14 any combination thereof or by any other means.

15 (m) "Drug" means (1) substances recognized in the official United States
16 Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official
17 National Formulary, or any supplement to any of them; and (2) substances intended
18 for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man
19 or other animals; and (3) substances (other than food) intended to affect the structure
20 or any function of the body of man or other animals; and (4) substances intended for
21 use as a component of any article specified in clause (1), (2), or (3) of this paragraph;
22 but does not include devices or their components, parts, or accessories.

23 287C.

24 (A) IN THIS SECTION, "DRUG" DOES NOT INCLUDE ALCOHOL.

25 (B) A PERSON MAY NOT ADMINISTER A CONTROLLED DANGEROUS
26 SUBSTANCE OR OTHER DRUG TO ANOTHER PERSON WITHOUT THAT PERSON'S
27 KNOWLEDGE AND ~~WITH THE INTENT TO~~ COMMIT AGAINST THAT OTHER PERSON:

28 (1) A CRIME OF VIOLENCE AS DEFINED IN § 643B OF THIS ARTICLE; OR

29 (2) A SEXUAL OFFENSE IN THE THIRD DEGREE UNDER § 464B OF THIS
30 ARTICLE.

31 (C) (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
32 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN
33 \$2,500 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH.

34 (2) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE IMPOSED
35 SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR

1 ANY OFFENSE BASED ON THE ACT OR ACTS ESTABLISHING THE VIOLATION OF THIS
2 SECTION.

3 643B.

4 (a) As used in this section, the term "crime of violence" means abduction;
5 arson in the first degree; kidnapping; manslaughter, except involuntary
6 manslaughter; mayhem and maiming, as previously proscribed under §§ 384, 385,
7 and 386 of this article; murder; rape; robbery; robbery with a deadly weapon;
8 carjacking or armed carjacking; sexual offense in the first degree; sexual offense in
9 the second degree; use of a handgun in the commission of a felony or other crime of
10 violence; an attempt to commit any of the aforesaid offenses; assault in the first
11 degree; and assault with intent to murder, assault with intent to rape, assault with
12 intent to rob, assault with intent to commit a sexual offense in the first degree, and
13 assault with intent to commit a sexual offense in the second degree, as these crimes
14 were previously proscribed under former § 12 of this article.

15 The term "correctional institution" includes Patuxent Institution and a local or
16 regional jail or detention center.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2000.