E1 6lr3735 CF HB 1304

By: Senator Muse

Introduced and read first time: February 17, 2016

Assigned to: Rules

## A BILL ENTITLED

## 1 AN ACT concerning

2	Criminal Law -	- Smoking	Mariiuana	in Public -	- Penalty

- 3 FOR the purpose of repealing a civil fine for smoking marijuana in public; providing that
- 4 smoking marijuana in a public place is a criminal misdemeanor; establishing a
- 5 certain penalty; defining a certain term; and generally relating to marijuana.
- 6 BY repealing and reenacting, without amendments,
- 7 Article Criminal Law
- 8 Section 5–601(a) and (b)
- 9 Annotated Code of Maryland
- 10 (2012 Replacement Volume and 2015 Supplement)
- 11 (As enacted by Chapter 4 of the Acts of the General Assembly of 2016)
- 12 BY repealing
- 13 Article Criminal Law
- 14 Section 5–601(c)(4)
- 15 Annotated Code of Maryland
- 16 (2012 Replacement Volume and 2015 Supplement)
- 17 (As enacted by Chapter 4 of the Acts of the General Assembly of 2016)
- 18 BY adding to
- 19 Article Criminal Law
- 20 Section 5–601.2
- 21 Annotated Code of Maryland
- 22 (2012 Replacement Volume and 2015 Supplement)
- 23 BY repealing and reenacting, without amendments,
- 24 Article Criminal Law
- 25 Section 10–201(a)(3)
- 26 Annotated Code of Maryland
- 27 (2012 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

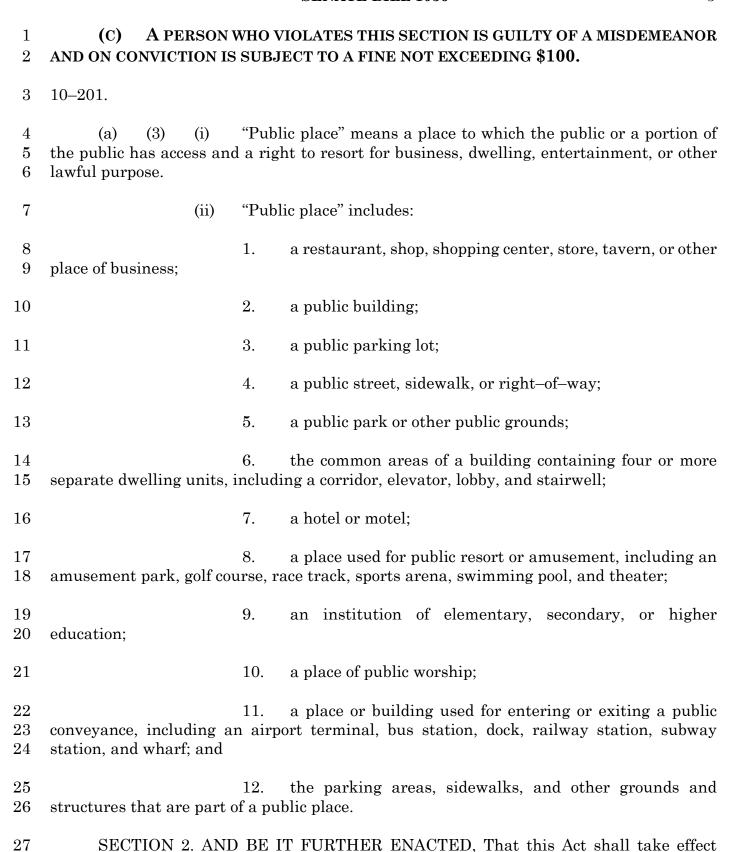


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(B)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 1 2 That the Laws of Maryland read as follows: 3 Article - Criminal Law 4 5-601. 5 (a) Except as otherwise provided in this title, a person may not: 6 (1) possess or administer to another a controlled dangerous substance, 7 unless obtained directly or by prescription or order from an authorized provider acting in the course of professional practice; or 8 9 obtain or attempt to obtain a controlled dangerous substance, or (2) procure or attempt to procure the administration of a controlled dangerous substance by: 10 11 (i) fraud, deceit, misrepresentation, or subterfuge; 12 (ii) the counterfeiting or alteration of a prescription or a written 13 order; the concealment of a material fact; 14 (iii) the use of a false name or address; 15 (iv) 16 falsely assuming the title of or representing to be a (v) 17 manufacturer, distributor, or authorized provider; or 18 (vi) making, issuing, or presenting a false or counterfeit prescription 19 or written order. 20 Information that is communicated to a physician in an effort to obtain a controlled dangerous substance in violation of this section is not a privileged 21communication. 22 23 (c) A violation of this section involving the smoking of marijuana in a public place is a civil offense punishable by a fine not exceeding \$500. 24255-601.2. IN THIS SECTION, "PUBLIC PLACE" HAS THE MEANING STATED IN § 2627 10-201 OF THIS ARTICLE.

A PERSON MAY NOT SMOKE MARIJUANA IN A PUBLIC PLACE.



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October 1, 2016.