
By: Delegate Menes

Introduced and read first time: February 19, 1997
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 1997

CHAPTER ____

1 AN ACT concerning

2 **Crimes - Drug-Induced Conduct**

3 FOR the purpose of making it a ~~felony misdemeanor~~ for a person to ~~distribute or~~
4 administer a controlled dangerous substance to another person without that
5 person's knowledge and with the intent to commit ~~a crime of violence~~ certain crimes
6 against that person; ~~defining a certain term~~; imposing ~~a certain penalty~~ certain
7 penalties; establishing that a sentence imposed under this Act may be imposed
8 separate from and consecutive to or concurrent with a sentence for any offense
9 based on the act or acts establishing the violation of this Act; and generally relating
10 to controlled dangerous substances and crimes of violence and sexual offenses.

11 BY adding to

- 12 Article 27 - Crimes and Punishments
- 13 Section ~~286F~~ 287C
- 14 Annotated Code of Maryland
- 15 (1996 Replacement Volume)

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

18 **Article 27 - Crimes and Punishments**

19 ~~286F.~~

20 ~~(A) IN THIS SECTION, "WITHOUT THAT PERSON'S KNOWLEDGE" MEANS THAT~~
21 ~~THE PERSON IS UNAWARE THAT A SUBSTANCE WITH THE ABILITY TO ALTER THE~~
22 ~~PERSON'S ABILITY TO APPRAISE CONDUCT OR TO DECLINE PARTICIPATION IN OR~~
23 ~~COMMUNICATE UNWILLINGNESS TO PARTICIPATE IN CONDUCT IS DISTRIBUTED OR~~
24 ~~ADMINISTERED TO THE PERSON.~~

2

1 287C.

2 ~~(B)~~ (A) A PERSON MAY NOT ~~DISTRIBUTE OR~~ ADMINISTER A CONTROLLED
3 DANGEROUS SUBSTANCE TO ANOTHER PERSON WITHOUT THAT PERSON'S
4 KNOWLEDGE AND WITH THE INTENT TO COMMIT A CRIME OF VIOLENCE AS
5 DEFINED UNDER § 643B OF THIS ARTICLE, A SEXUAL OFFENSE IN THE THIRD
6 DEGREE UNDER § 464B OF THIS ARTICLE, OR A SEXUAL OFFENSE IN THE FOURTH
7 DEGREE UNDER § 464C OF THIS ARTICLE AGAINST THAT PERSON.

8 ~~(B)~~ (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
9 ~~FELONY AND MISDEMEANOR AND ON CONVICTION~~ IS SUBJECT TO A FINE NOT
10 EXCEEDING ~~\$25,000~~ \$2,500 OR IMPRISONMENT NOT EXCEEDING ~~20 YEARS~~ 1 YEAR OR
11 BOTH.

12 (2) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE IMPOSED
13 SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR
14 ANY OFFENSE BASED ON THE ACT OR ACTS ESTABLISHING THE VIOLATION OF THIS
15 SECTION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 1997.