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**By: Senator Haines**

Requested: October 17, 1996

Introduced and read first time: January 8, 1997

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Controlled Dangerous Substances - Marijuana - Penalties**

3 FOR the purpose of altering a prohibition against bringing a certain quantity of  
4 marijuana into the State; providing for the application of this Act; and generally  
5 relating to the penalties for offenses involving the possession of marijuana.

6 BY repealing and reenacting, with amendments,  
7 Article 27 - Crimes and Punishments  
8 Section 286A  
9 Annotated Code of Maryland  
10 (1996 Replacement Volume)

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

13 **Article 27 - Crimes and Punishments**

14 286A.

15 (a) A person who brings into this State any of the following controlled dangerous  
16 substances which it is unlawful for that person to possess, in the amounts indicated, upon  
17 conviction, is subject to the penalty provided in subsection (b) of this section:

18 (1) [100] 10 pounds or greater of marijuana;

19 (2) 28 grams or greater of cocaine or any mixture containing 28 grams or  
20 greater of cocaine;

21 (3) 4 grams or more of morphine or opium or any derivative, salt, isomer, or  
22 salt of an isomer of morphine or opium;

23 (4) 1,000 dosage units of lysergic acid diethylamide or any mixture  
24 containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;

25 (5) 28 grams or more of phencyclidine in liquid or powder form or 112 grams  
26 or more of any mixture containing phencyclidine;

27 (6) 1,000 dosage units or more of methaqualone;

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1                   (7) 28 grams or more of methamphetamine or any mixture containing 28  
2 grams or more of methamphetamine; or

3                   (8) 4 grams or more of fentanyl or a fentanyl analogue.

4                   (b) A person convicted of violating subsection (a) of this section is guilty of a  
5 felony and may be fined not more than \$50,000 or imprisoned for not more than 25 years,  
6 or both fined and imprisoned in the discretion of the court.

7                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
8 construed only prospectively and may not be applied or interpreted to have any effect on  
9 or application to any criminal action commenced before the effective date of this Act.

10                  SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 1997.