

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

House Bill 247 (Chairman, Judiciary Committee)
 (Departmental – Health and Mental Hygiene)

Judiciary

**Crimes - Controlled Dangerous Substances, Controlled Paraphernalia, and Drug
Paraphernalia - Regulation**

This departmental bill makes various changes to provisions regulating controlled dangerous substances, controlled paraphernalia, and drug paraphernalia. While most of the changes are technical, the bill: (1) requires controlled dangerous substances rescheduled by the federal government to be automatically rescheduled by the State, unless objected to by the Department of Health and Mental Hygiene (DHMH); and (2) adds “drug paraphernalia” to the items for which law enforcement officers are extended criminal immunity for possessing in the course of their official duties.

Fiscal Summary

State Effect: The bill’s changes are not expected to measurably affect State finances or operations.

Local Effect: The bill’s changes are not expected to measurably affect local finances or operations.

Small Business Effect: DHMH has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: Any new substance designated as controlled under federal law must be similarly controlled by statutory change to the State schedule unless DHMH objects. Law enforcement officers are granted immunity for possessing “controlled dangerous substances” or “controlled paraphernalia” in the course of their official duties.

Background: A Criminal Law Article of the Annotated Code of Maryland is expected to be introduced during the 2002 session. All of the bill’s provisions have been recommended by the Criminal Law Article Review Committee.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader – January 31, 2001
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