

HOUSE BILL 24

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2002 Regular Session
2lr0369

(PRE-FILED)

By: **Delegate Hutchins**

Requested: August 23, 2001

Introduced and read first time: January 9, 2002

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Sentencing - Marijuana Possession - Medical Necessity**

3 FOR the purpose of authorizing a defendant, in the sentencing phase of a case
4 involving possession of marijuana, to introduce any evidence of medical
5 necessity; requiring a court to consider such evidence as a mitigating factor; and
6 generally relating to sentencing for possession of marijuana.

7 BY adding to
8 Article - Criminal Procedure
9 Section 6-229
10 Annotated Code of Maryland
11 (2001 Volume)

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

14 **Article - Criminal Procedure**

15 6-229.

16 IN THE SENTENCING PHASE OF A CASE INVOLVING POSSESSION OF
17 MARIJUANA, THE DEFENDANT MAY INTRODUCE AND THE COURT SHALL CONSIDER
18 AS A MITIGATING FACTOR ANY EVIDENCE OF MEDICAL NECESSITY.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2002.