
By: **Chairman, Judiciary Committee and Delegate Grosfeld**

Introduced and read first time: January 18, 2002

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 12, 2002

CHAPTER _____

1 AN ACT concerning

2 **Business Regulation - Returnable Container - Warrant**

3 FOR the purpose of requiring a person who has registered a returnable container or a
4 returnable textile and who makes a certain affidavit to demonstrate probable
5 cause to believe that the law pertaining to certain returnable containers and
6 marked returnable textiles is being violated before a search warrant may be
7 issued; and generally relating to returnable containers and textiles.

8 BY repealing and reenacting, with amendments,
9 Article - Business Regulation
10 Section 19-305(a)
11 Annotated Code of Maryland
12 (As enacted by Chapter ____ (H.B. 11) of the Acts of the General Assembly of
13 2002)

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

16 **Article - Business Regulation**

17 19-305.

18 (a) A District Court judge shall issue a search warrant, authorizing a search of
19 the premises specified in the warrant, to a sheriff, deputy sheriff, or other law
20 enforcement officer to whom a warrant may be directed, if a person who has
21 registered a returnable container or returnable textile, or the person's agent, makes
22 an affidavit before the judge, stating that:

1 (1) the affiant [reasonably believes] DEMONSTRATES PROBABLE CAUSE
2 TO BELIEVE that a violation of § 19-304(a), (b), (c), or (d) of this subtitle has occurred;
3 and

4 (2) evidence of the violation may be obtained by a search of premises
5 specified by the affiant.

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