

**HOUSE BILL 1052**  
**EMERGENCY BILL**

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P5

2004 Regular Session  
4r0788

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**By: The Speaker (By Request - Department of Legislative Services)**

Introduced and read first time: February 12, 2004

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: March 23, 2004

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CHAPTER\_\_\_\_\_

1 AN ACT concerning

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**Public Safety Corrective Bill**

3 FOR the purpose of correcting certain errors and omissions in the Public Safety

4 Article of the Annotated Code; correcting certain obsolete references; providing

5 that this Act is not intended to affect any law other than to correct technical

6 errors; and making this Act an emergency measure.

7 BY repealing and reenacting, with amendments,

8 Article - Public Safety

9 Section 2-504(a)(2) and 11-116(a)(2)(iv) and (x) and (b)(2)(iv) and (x)

10 Annotated Code of Maryland

11 (2003 Volume)

12 BY adding to

13 Article - Public Safety

14 Section 12-842

15 Annotated Code of Maryland

16 (2003 Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

18 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Public Safety**

2 2-504.

3 (a) (2) If adequate funds for the collection of DNA samples are appropriated  
4 in the State budget, an individual who was convicted of a felony or a violation of §  
5 6-205 [and] OR § 6-206 of the Criminal Law Article on or before October 1, 2003 and  
6 who remains confined in a correctional facility on or after October 1, 1999, shall  
7 submit a DNA sample to the Department.

8 DRAFTER'S NOTE:

9 Error: Incorrect word usage in § 2-504(a)(2) of the Public Safety Article.

10 Occurred: Ch. 240, Acts of 2003. Correction recommended by Attorney General  
11 J. Joseph Curran, Jr. in a bill review letter for S.B. 363 (Ch. 240, Acts of 2003) and  
12 H.B. 575 (vetoed), April 29, 2003.

13 11-116.

14 (a) (2) Paragraph (1) of this subsection does not apply to a person who  
15 neither intended to use nor used the explosives involved in violation of:

16 (iv) Title 14, Subtitle 29, § 11-810, [§ 14-1316,] or § 14-1317 of the  
17 Commercial Law Article;

18 (x) § 8-713.1, § 8-724.1, § 8-725.5, § 8-725.6, § 8-726.1, § 8-738.1,  
19 § 8-740.1, or [§ 10-411(b), as it relates to Harford County, or (d), as it relates to Anne  
20 Arundel County or Caroline County,] § 10-411(A) OR (D), AS IT RELATES TO HARFORD  
21 COUNTY, of the Natural Resources Article;

22 (b) (2) Paragraph (1) of this subsection does not apply to a person who had  
23 probable cause to believe that the explosives involved would be used for a purpose  
24 other than the violation of:

25 (iv) Title 14, Subtitle 29, § 11-810, [§ 14-1316,] or § 14-1317 of the  
26 Commercial Law Article;

27 (x) § 8-713.1, § 8-724.1, § 8-725.5, § 8-725.6, § 8-726.1, § 8-738.1,  
28 § 8-740.1, or [§ 10-411(b), as it relates to Harford County, or (d), as it relates to Anne  
29 Arundel County or Caroline County,] § 10-411(A) OR (D), AS IT RELATES TO HARFORD  
30 COUNTY, of the Natural Resources Article;

31 DRAFTER'S NOTE:

32 Error: Incorrect cross-references in § 11-116(a)(2)(iv) and (x) and (b)(2)(iv) and  
33 (x) of the Public Safety Article.

34 Occurred: Error in § 11-116(a)(2)(iv) and (b)(2)(iv) as a result of Ch. 374, Acts of  
35 2003. Error in § 11-116(a)(2)(x) and (b)(2)(x) as a result of Ch. 170, Acts of 2003.

1 12-842.

2 SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE  
3 MARYLAND PROGRAM EVALUATION ACT, THE PROVISIONS OF THIS TITLE THAT  
4 CREATE OR RELATE TO THE BOARD AND ANY REGULATIONS ADOPTED BY THE BOARD  
5 SHALL TERMINATE AND BE OF NO EFFECT AFTER JULY 1, 2014.

6 DRAFTER'S NOTE:

7 Error: Omitted provision from Title 12, Subtitle 8 of the Public Safety Article.

8 Occurred: As a result of Ch. 316, Acts of 2003. Language added reflects that Ch.  
9 316, Acts of 2003, added Art. 89, § 49C(x), but failed to double draft the provision to  
10 the new Public Safety Article.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the Drafter's Notes  
12 contained in this Act are not law and may not be considered to have been enacted as  
13 part of this Act.

14 SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this Act  
15 are intended solely to correct technical errors in the law and there is no intent to  
16 revive or otherwise affect law that is the subject of other acts, whether those acts were  
17 signed by the Governor prior to or after the signing of this Act.

18 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency  
19 measure, is necessary for the immediate preservation of the public health or safety,  
20 has been passed by a ye and nay vote supported by three-fifths of all the members  
21 elected to each of the two Houses of the General Assembly, and shall take effect from  
22 the date it is enacted.