

# HOUSE BILL 567

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By: **Anne Arundel County Delegation**

Introduced and read first time: February 7, 2007

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **City of Annapolis – Drug-Free Zones – Community or Recreation Centers**

3 FOR the purpose of making it a felony to manufacture, distribute, dispense, or possess  
4 with intent to distribute certain controlled dangerous substances or conspire to  
5 commit these offenses within a certain distance of a certain community or  
6 recreation center in the City of Annapolis; providing certain penalties; making  
7 certain maps admissible as prima facie evidence of the location and boundaries  
8 of certain property; authorizing the City of Annapolis to post signs designating  
9 certain areas as drug-free zones; requiring that the signs contain certain  
10 information; defining a certain term; and generally relating to drug-free zones  
11 around certain community or recreation centers in the City of Annapolis.

12 BY adding to

13 Article 24 – Political Subdivisions – Miscellaneous Provisions  
14 Section 20–101 to be under the new title “Title 20. Community or Recreation  
15 Center Drug-Free Zones”  
16 Annotated Code of Maryland  
17 (2005 Replacement Volume and 2006 Supplement)

18 BY adding to

19 Article – Criminal Law  
20 Section 5–627.1  
21 Annotated Code of Maryland  
22 (2002 Volume and 2006 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

4 **TITLE 20. COMMUNITY OR RECREATION CENTER DRUG-FREE ZONES.**

5 **20-101.**

6 (A) THIS SECTION APPLIES ONLY IN THE CITY OF ANNAPOLIS.

7 (B) THE CITY OF ANNAPOLIS MAY POST SIGNS DESIGNATING THE  
8 AREAS WITHIN 1,000 FEET OF COMMUNITY OR RECREATION CENTERS AS  
9 “DRUG-FREE ZONES”.

10 (C) THE SIGNS SHALL BE DESIGNED TO PROVIDE NOTICE OF THE  
11 PROVISIONS OF § 5-627.1 OF THE CRIMINAL LAW ARTICLE.

12 **Article – Criminal Law**

13 **5-627.1.**

14 (A) THIS SECTION APPLIES ONLY IN THE CITY OF ANNAPOLIS.

15 (B) IN THIS SECTION, “COMMUNITY OR RECREATION CENTER” MEANS A  
16 FACILITY THAT:

17 (1) PROVIDES HEALTH, SOCIAL, NUTRITIONAL, EDUCATIONAL, OR  
18 RECREATIONAL SERVICES FOR THE GENERAL PUBLIC; AND

19 (2) IS OPERATED BY OR UNDER THE CONTROL OF A LOCAL  
20 GOVERNMENTAL ENTITY, THE HOUSING AUTHORITY OF THE CITY OF  
21 ANNAPOLIS, A NONPROFIT ORGANIZATION, OR A HOMEOWNERS ASSOCIATION.

22 (C) A PERSON MAY NOT MANUFACTURE, DISTRIBUTE, DISPENSE, OR  
23 POSSESS WITH INTENT TO DISTRIBUTE A CONTROLLED DANGEROUS SUBSTANCE  
24 IN VIOLATION OF § 5-602 OF THIS SUBTITLE OR CONSPIRE TO COMMIT ANY OF  
25 THESE CRIMES IN, ON, OR WITHIN 1,000 FEET OF A COMMUNITY OR  
26 RECREATION CENTER IN THE CITY OF ANNAPOLIS.

1           (D) (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
2 FELONY AND ON CONVICTION IS SUBJECT TO:

3                   (I) FOR A FIRST VIOLATION, IMPRISONMENT NOT  
4 EXCEEDING 20 YEARS OR A FINE NOT EXCEEDING \$20,000 OR BOTH; OR

5                   (II) FOR EACH SUBSEQUENT VIOLATION, IMPRISONMENT  
6 NOT EXCEEDING 40 YEARS OR A FINE NOT EXCEEDING \$40,000 OR BOTH.

7           (2) A SENTENCE IMPOSED UNDER PARAGRAPH (1) OF THIS  
8 SUBSECTION SHALL BE CONSECUTIVE TO ANY OTHER SENTENCE IMPOSED.

9           (E) NOTWITHSTANDING ANY OTHER LAW, A CONVICTION UNDER THIS  
10 SECTION MAY NOT MERGE WITH A CONVICTION UNDER § 5-602, § 5-603,  
11 § 5-604, § 5-605, § 5-606, § 5-607, § 5-608, § 5-609, § 5-612, § 5-613, OR  
12 § 5-628 OF THIS SUBTITLE.

13           (F) (1) IN A PROSECUTION UNDER THIS SECTION, A MAP OR  
14 CERTIFIED COPY OF A MAP MADE BY A UNIT OF THE CITY OF ANNAPOLIS TO  
15 DEPICT THE LOCATION AND BOUNDARIES OF THE AREA WITHIN 1,000 FEET OF A  
16 COMMUNITY OR RECREATION CENTER IN THE CITY OF ANNAPOLIS IS  
17 ADMISSIBLE AS PRIMA FACIE EVIDENCE OF THE LOCATION AND BOUNDARIES OF  
18 THE DEPICTED AREA, IF THE MAYOR AND CITY COUNCIL OF ANNAPOLIS  
19 APPROVE THE MAP OR CERTIFIED COPY OF THE MAP AS AN UNOFFICIAL  
20 RECORD OF THE LOCATION AND BOUNDARIES OF THE DEPICTED AREA.

21                   (2) THE MAP OR A CERTIFIED COPY OF THE MAP SHALL BE FILED  
22 WITH THE CITY OF ANNAPOLIS, WHICH SHALL MAINTAIN THE MAP OR THE  
23 CERTIFIED COPY OF THE MAP AS AN OFFICIAL RECORD.

24                   (3) THE MAYOR AND CITY COUNCIL OF ANNAPOLIS MAY  
25 PERIODICALLY REVISE THE MAP OR CERTIFIED COPY OF THE MAP.

26                   (4) THIS SUBSECTION DOES NOT PRECLUDE THE PROSECUTION  
27 FROM INTRODUCING OTHER EVIDENCE TO ESTABLISH AN ELEMENT OF A CRIME  
28 UNDER THIS SECTION.

1                   **(5) THIS SUBSECTION DOES NOT PRECLUDE THE USE OR**  
2 **ADMISSIBILITY OF MAPS OR DIAGRAMS OTHER THAN THOSE APPROVED BY THE**  
3 **MAYOR AND CITY COUNCIL OF ANNAPOLIS.**

4                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2007.