

SENATE BILL 10

J1, Q7

8lr4548

By: **Senators Mooney and Harris**

Introduced and read first time: October 29, 2007

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – AIDS Prevention Sterile Needle and Syringe Exchange**
3 **Program – Funding**

4 FOR the purpose of altering a certain provision of law establishing a certain AIDS
5 Prevention Sterile Needle and Syringe Exchange Program in the Baltimore City
6 Health Department; prohibiting State funds to be used for the Program;
7 renaming the Program; altering a certain definition; and generally relating to
8 an AIDS Prevention Sterile Needle and Syringe Exchange Program in
9 Baltimore City.

10 BY repealing and reenacting, with amendments,
11 Article – Health – General
12 Section 24–801, 24–802, and 24–805 to be under the amended subtitle “Subtitle
13 8. AIDS Prevention Sterile Needle and Syringe Exchange Program”
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2007 Supplement)

16 BY adding to
17 Article – Health – General
18 Section 24–810
19 Annotated Code of Maryland
20 (2005 Replacement Volume and 2007 Supplement)

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

23 **Article – Health – General**

24 Subtitle 8. AIDS Prevention Sterile Needle and Syringe Exchange [Pilot] Program.

25 24–801.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this subtitle the following words have the meanings indicated.

2 (b) "Commissioner of Health" means the Baltimore City Commissioner of
3 Health.

4 (c) "HIV" means the human immunodeficiency virus that causes acquired
5 immune deficiency syndrome (AIDS).

6 (d) "Participant" means an individual who has registered with the Program.

7 (e) "Program" means the AIDS Prevention Sterile Needle and Syringe
8 Exchange [Pilot] Program.

9 (f) "Residue" means the dried remains of a controlled dangerous substance
10 attached to or contained within a hypodermic needle or syringe.

11 24-802.

12 (a) [There is an] **AN** AIDS Prevention Sterile Needle and Syringe Exchange
13 [Pilot] Program **MAY BE ESTABLISHED** in the Baltimore City Health Department,
14 **SUBJECT TO THE PROVISIONS OF THIS SUBTITLE.**

15 (b) [The] **IF ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION,**
16 **THE** Program shall:

17 (1) Provide for the one-for-one exchange by participants of used
18 hypodermic needles and syringes for sterile hypodermic needles and syringes; and

19 (2) Operate in accordance with the procedures approved, with the
20 advice and approval of the oversight committee, by the Commissioner of Health.

21 24-805.

22 (a) The Commissioner of Health shall appoint a Director for the Program.

23 (b) [On or before July 1, 1994, with] **WITH** the advice and approval of the
24 oversight committee, the Director shall develop:

25 (1) Program operating procedures for the furnishing and one-for-one
26 exchange of hypodermic needles and syringes to injecting drug users;

27 (2) A community outreach and education program; and

28 (3) A protocol for providing a linkage for Program participants to
29 substance abuse treatment and rehabilitation.

1 (c) The Director shall submit the operating procedures, the plan for a
2 community outreach and education program, and the substance abuse treatment
3 linkage protocol to the Commissioner of Health for approval prior to implementation.

4 ~~24-810.~~

5 **STATE FUNDS MAY NOT BE USED FOR THE PROGRAM.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2008.