

SECOND PRINTING

SENATE BILL 982

E1, E4, J1

8lr2910
CF HB 1480

By: **The President (By Request – Office of the Attorney General) and Senators Brochin and Zirkin**

Introduced and read first time: February 5, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Controlled Dangerous Substances – Distributors – Reporting Suspicious Orders**

3 FOR the purpose of requiring a certain distributor of controlled dangerous substances to
4 report certain suspicious orders to the Maryland Department of Health and the
5 Office of the Attorney General; authorizing a certain distributor to satisfy a certain
6 reporting obligation by providing to the Department and the Office of the Attorney
7 General copies of certain reports; requiring the Department and the Office of the
8 Attorney General to maintain certain reports confidentially, with a certain
9 exception; and generally relating to controlled dangerous substances.

10 BY repealing and reenacting, with amendments,

11 Article – Criminal Law

12 Section 5–303

13 Annotated Code of Maryland

14 (2012 Replacement Volume and 2017 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

16 That the Laws of Maryland read as follows:

17 **Article – Criminal Law**

18 5–303.

19 (a) Unless the Department determines that the issuance of the registration is
20 inconsistent with the public interest, the Department shall register an applicant to
21 manufacture or distribute controlled dangerous substances included in Schedule I through
22 Schedule V.

23 (b) To determine the public interest, the Department shall consider:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



5 (2) compliance with applicable federal, State, and local law;

(3) any convictions of the applicant under federal, State, and local laws relating to the manufacture, distribution, or dispensing of controlled dangerous substances;

11 (5) any other factor that is relevant to and consistent with public health
12 and safety.

13 (c) (1) A registrant may manufacture or distribute only a controlled dangerous
14 substance that is specified in the registration.

15 (2) A manufacturer or distributor who complies with federal law on
16 registration, other than fees, is deemed to have complied with this section.

17 (d) (1) A registrant may distribute controlled dangerous substances in
18 Schedule I and Schedule II only in accordance with an order form.

(2) A registrant who complies with federal law on order forms for Schedule I and Schedule II is deemed to have complied with this subsection.

21 (E) (1) A REGISTRANT DISTRIBUTOR SHALL REPORT TO THE
22 DEPARTMENT AND THE OFFICE OF THE ATTORNEY GENERAL ANY SUSPICIOUS
23 ORDER OF CONTROLLED DANGEROUS SUBSTANCES, INCLUDING AN ORDER:

24 (I) OF UNUSUAL SIZE:

25 (II) OF UNUSUAL FREQUENCY: OB

26 (III) THAT DEVIATES SUBSTANTIALLY FROM A NORMAL
27 PATTERN.

32 (3) UNLESS DISCLOSED IN THE COURSE OF AN ADMINISTRATIVE.

1 CIVIL, OR CRIMINAL INVESTIGATION OR PROCEEDING INITIATED TO ENFORCE
2 LOCAL, STATE, OR FEDERAL LAW OR TO PROTECT THE PUBLIC HEALTH, A REPORT
3 MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE MAINTAINED
4 CONFIDENTIALLY.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2018.