

Maryland Criminal Defense Attorneys' Association



Md Senate – Judicial Proceedings Committee

February 7, 2023

Hearing on HB SB 762

Administration – Paraphernalia Decriminalization

MCDAA POSITION: SUPPORT

NOTE: THE HOUSE CROSSFILE (HB173) HAS ALREADY PASSED THE HOUSE OF DELEGATES ON THIRD READER 98-38.

Brief bill explanation: This bill decriminalizes certain specific paraphernalia, including paraphernalia commonly used to grow, smoke or ingest marijuana. The bill also decriminalizes possession of syringes adapted to administer CDS. The bill reduces penalties related to controlled paraphernalia from a maximum penalty of four years imprisonment and/or a \$25,000 fine to a maximum penalty of one year imprisonment and/or a \$1,000 fine. Subsequent offender penalties for violation of the prohibitions against the use or possession of drug paraphernalia and the delivery or sale of drug paraphernalia are reduced from a maximum penalty of two years imprisonment and/or \$2,000 fine to a maximum penalty of one year imprisonment and/or \$1,000 fine

MCDAA's position: We support the sponsor's attempt to bring Maryland law concerning paraphernalia into line with Maryland's recent legalization of marijuana use, in limited quantities, and for medical and personal consumption. Further, we support joining the national trend of decriminalizing other CDS paraphernalia. We support the legislation as written, but our support is not dependent upon the legislation's inclusion of the non-marijuana paraphernalia and/or the lowering of the penalties.

For additional information or questions regarding this legislation, please contact MCDAA Government Relations Contact John Giannetti 410.300.6393, JohnGiannetti.mcdaa@gmail.com