

Code of Maryland (1967 Replacement Volume), title "Crimes and Punishments," subtitle "Drunkenness and Disorderly Conduct," to eliminate the offense of "found drunk" therein and the habitual offender penalty in connection therewith; and relating generally to alcoholism and the offense of intoxication in the State.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Article 2C of the Annotated Code of Maryland (1957 Edition and 1967 Supplement), title "Alcoholism," be and it is hereby repealed in its entirety and a new Article 2C, title "Alcoholism," is hereby enacted in lieu thereof, to stand in its place, and to read as follows:*

101.

*This subtitle shall be known and cited as the "Comprehensive Intoxication and Alcoholism Control Act."*

#### FINDINGS AND DECLARATION OF PURPOSES

102.

(a) *The Legislature finds and declares:*

(b) *Dealing with public inebriates as criminals has proved expensive, burdensome, and futile. The criminal law is ineffective to deter intoxication and to deal with what are basically major problems of human inadequacy and chronic alcoholism;*

(c) *Removal of public intoxication from the criminal system and establishment of a modern public health program for the detoxification of inebriates facilitate (1) early detection and prevention of alcoholism and effective treatment and rehabilitation of alcoholics, (2) diagnosis and treatment of other disease, and (3) uncovering and providing assistance with other personal problems related to excessive drinking. Handling of chronic inebriates through public health and other rehabilitative procedures relieves the police, correctional institutions, other law enforcement agencies and the courts of an onerous and inappropriate burden that undermines their ability to protect citizens, apprehend law violators, maintain safe and orderly streets and administer justice;*

(d) *Chronic alcoholism is an illness that is properly treated under public health, welfare, and rehabilitation procedures;*

(e) *Voluntary treatment for alcoholism is more appropriate than involuntary treatment. Civil commitment should be used only where an alcoholic is in immediate danger of serious harm or if he presents a substantial danger to other persons;*

(f) *To control public intoxication and chronic alcoholism requires a major commitment of effort and resources by both public and private segments of the State. An effective response to these problems must include a continuum of detoxification, in-patient, and out-patient programs, and supportive health, welfare, and rehabilitation services, coordinated with and integrated into a comprehensive health plan that covers all the State's citizens;*

(g) *There shall be established and maintained a comprehensive program for the control of drunkenness and the prevention and treatment of alcoholism throughout Maryland; ~~by partnership action between the State and its subdivisions;~~*