

~~commitment proceeding under the Comprehensive Drug Abuse Control and Rehabilitation Act OR IS EXAMINED FOR ANY FORM OF DRUG ABUSE, ANY STATEMENTS MADE OR CONCLUSIONS DERIVED SHALL NOT BE ADMISSIBLE IN ANY PROCEEDING AGAINST SUCH PERSON.~~

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 10 of Article 43B of the Annotated Code of Maryland (1969 Supplement), title "Comprehensive Drug Abuse Control and Rehabilitation Act," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

10.

(a) The determination that a person is a drug addict and the subsequent civil commitment under Section 9 shall not be deemed a criminal conviction. No facts or results of any proceeding, examination, test, or procedure to determine that a person is a drug addict *pursuant to a civil commitment proceeding under this article* shall be used against such person in any other proceeding.

(b) *Whenever a person shall seek counselling, treatment or therapy FOR ANY FORM OF DRUG ABUSE from a physician, psychologist, hospital, or a program or facility authorized by the Authority to treat any form of drug abuse, no statement, whether oral or written, made by such person and no observation or conclusion derived from such counselling, treatment or therapy made by such physician, psychologist, hospital, program or facility pertaining to any form of drug abuse shall be admissible against such person in any proceeding. Except in an examination ordered pursuant to a civil commitment proceeding under this article, no facts or results of any examination to determine the existence of illegal or prohibited drugs in a person's body shall be admissible in any proceeding against such person* THE FACTS OR RESULTS OF ANY OTHER EXAMINATION, NOT ORDERED PURSUANT TO A CIVIL COMMITMENT PROCEEDING UNDER THIS ARTICLE, TO DETERMINE THE EXISTENCE OF ILLEGAL OR PROHIBITED DRUGS IN A PERSON'S BODY SHALL NOT BE ADMISSIBLE IN ANY PROCEEDING AGAINST SUCH PERSON, PROVIDED THAT THE FACTS OR RESULTS OF ANY SUCH EXAMINATION ORDERED PURSUANT TO A CIVIL COMMITMENT PROCEEDING UNDER THIS ARTICLE OR AS A CONDITION OF PAROLE OR PROBATION SHALL BE ADMISSIBLE IN THE PROCEEDING FOR WHICH THE EXAMINATION WAS ORDERED.

SEC. 2. *And be it further enacted,* That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved May 21, 1970.