

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1971.

Approved May 24, 1971.

CHAPTER 692
(House Bill 455)

AN ACT to repeal and re-enact, with amendments, Section 10(b) of Article 43B of the Annotated Code of Maryland (1970 Supplement), title "Comprehensive Drug Abuse Control and Rehabilitation Act"; and to add new Section 85A to Article 77 of said Code (1969 Replacement Volume), title "Public Education," subtitle "Chapter 6. The Public Schools," to follow immediately after Section 85 thereof, to provide that whenever a student seeks ~~counselling for~~ INFORMATION FOR THE PURPOSE OF OVERCOMING drug abuse from an educator, no statement, observation, or conclusion derived from the counselling shall be admissible against the student in any proceeding, to provide that no rule, regulation or order may require disclosure of any reports, statements, observations, conclusions or other information made pursuant to the counselling, and relating generally thereto.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 10(b) of Article 43B of the Annotated Code of Maryland (1970 Supplement), title "Comprehensive Drug Abuse Control and Rehabilitation Act," be and it is hereby repealed and re-enacted, with amendments; and that new Section 85A be and it is hereby added to Article 77 of said Code (1969 Replacement Volume), title "Public Education," subtitle "Chapter 6. The Public Schools," to follow immediately after Section 85 thereof, and all to read as follows:

10.

(b) Whenever a person shall seek counselling, treatment or therapy for any form of drug abuse from a physician, psychologist, hospital, ~~AN educator,~~ pursuant to the provisions of Section 85A of Article 77, 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 shall be admissible against such person in any proceeding. The facts or results of any examination 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.

85A.

(a) *Whenever a student shall seek ~~counselling~~ INFORMATION for THE PURPOSE OF OVERCOMING any form of drug abuse,*