

THIS SECTION IS EFFECTIVE ONLY ON AND AFTER JULY 1, 1983.

REVISOR'S NOTE: Subsections (a), (b), and (c) of this section are new language derived without substantive change from former Article 2C, § 301A.

Subsection (d) of this section is new language added to reflect Section 2 of Ch. 621, Acts of 1981, which delayed the effective date of former Article 2C, § 301A.

As to subsection (b)(3) of this section, the Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that the activities of Alcoholics Anonymous may not be described adequately by the reference to "merely holds meetings" and, therefore, may be included as an "alcohol abuse facility" inadvertently.

Defined terms: "Department" § 1-101
"Includes"/"including" § 1-101
"Physician" § 1-101

SUBTITLE 5. DISPOSITION AND TREATMENT.

8-501. DISPOSITION OF PUBLICLY INTOXICATED INDIVIDUALS.

(A) AUTHORIZED PERSONNEL.

(1) IN COOPERATION WITH STATE AND LOCAL POLICE, THE ADMINISTRATION AND APPROPRIATE OFFICIALS OF EACH SUBDIVISION OF THIS STATE SHALL HAVE PROCEDURES UNDER WHICH PERSONNEL OTHER THAN THE POLICE ARE AUTHORIZED TO EXERCISE THE POWERS UNDER THIS SECTION WHENEVER FEASIBLE SO THAT THE EXERCISE OF THOSE POWERS BY THE POLICE ARE REDUCED TO A MINIMUM.

(2) THE POLICE AND OTHER AUTHORIZED PERSONNEL WHO ACT UNDER THIS SECTION ARE ACTING WITHIN THE SCOPE OF THEIR OFFICIAL DUTY.

(B) DISPOSITION OF INDIVIDUALS.

(1) THE POLICE OR OTHER AUTHORIZED PERSONNEL MAY TAKE OR SEND A PUBLICLY INTOXICATED INDIVIDUAL:

(I) TO THE INDIVIDUAL'S HOME;

(II) TO A HEALTH FACILITY; OR

(III) IF THE INDIVIDUAL IS UNABLE TO DECIDE RATIONALLY ABOUT ACCEPTING HELP OR THE INDIVIDUAL'S HEALTH IS IN IMMEDIATE DANGER, TO A DETOXIFICATION UNIT.