

CHAPTER 115

(Senate Bill 269)

AN ACT concerning

Controlled Hazardous Substances - Inspections

FOR the purpose of authorizing a judge of the District Court or circuit court to issue an administrative search warrant under certain circumstances and for certain activities so as to enable the Department of Health and Mental Hygiene to conduct inspections to determine compliance with certain laws, rules, or regulations related to controlled hazardous substances; specifying that certain information be contained in an application for an administrative search warrant; providing for the execution and return of the warrant within a certain period of time; and requiring confidentiality of information obtained pursuant to an administrative search warrant except to the extent utilized in an administrative or judicial proceeding; and generally relating to administrative search warrants for conducting inspections under the controlled hazardous substances laws.

BY adding to

Article - Health - Environmental
Section 7-256.1
Annotated Code of Maryland
(1982 Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - Environmental

7-256.1.

(A) AN AUTHORIZED OFFICIAL OR EMPLOYEE OF THE DEPARTMENT MAY APPLY TO A JUDGE OF THE DISTRICT COURT OR A CIRCUIT COURT FOR AN ADMINISTRATIVE SEARCH WARRANT TO ENTER ANY FACTORY, WAREHOUSE, VEHICLE, BUILDING, ESTABLISHMENT, OR OTHER PREMISES TO CONDUCT ANY INSPECTION REQUIRED OR AUTHORIZED BY LAW TO DETERMINE COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE RELATING TO CONTROLLED HAZARDOUS SUBSTANCES.

(B) (1) THE APPLICATION SHALL BE IN WRITING AND SIGNED AND SWORN TO BY THE APPLICANT AND SHALL PARTICULARLY DESCRIBE THE PLACE, STRUCTURE, PREMISES, VEHICLE, OR RECORDS TO BE INSPECTED AND THE NATURE, SCOPE, AND PURPOSE OF THE INSPECTION TO BE PERFORMED BY THE APPLICANT.