

CHAPTER 492

(House Bill 8)

AN ACT concerning

Crimes – Drug Paraphernalia – Prohibitions

FOR the purpose of prohibiting a person from using or possessing with intent to use certain drug paraphernalia for certain purposes; and generally relating to the use and possession of drug paraphernalia.

BY repealing and reenacting, without amendments,

Article 27 – Crimes and Punishments

Section 287A(a)(1) and (d)(1)

Annotated Code of Maryland

(1992 Replacement Volume and 1992 Supplement)

BY repealing and reenacting, with amendments,

Article 27 – Crimes and Punishments

Section 287A(c)

Annotated Code of Maryland

(1992 Replacement Volume and 1992 Supplement)

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

Article 27 – Crimes and Punishments

287A.

(a) As used in this section, the term “drug paraphernalia” means all equipment, products, and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled dangerous substance in violation of this subheading. It includes but is not limited to:

(1) Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing, or harvesting of any species of plant which is a controlled dangerous substance or from which a controlled dangerous substance can be derived;

(c) It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain [or], conceal, INJECT, INGEST, INHALE, OR OTHERWISE INTRODUCE INTO THE HUMAN BODY a controlled dangerous substance in violation of this subheading. Any person who violates this subsection is guilty of a misdemeanor and upon conviction for a first offense may be fined not more than \$500. A person who is convicted of a subsequent violation of