

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 296.

In subsection (a)(2) of this section, the reference to a "local law" is substituted for the former reference to the "laws ... of any political subdivision of this State ... or political subdivisions [of other states]" for brevity.

In the introductory language to subsection (b) of this section, the former phrase "[t]o this end" is deleted as surplusage.

In subsection (b)(3) of this section, the reference to "eradicat[ing] wild or unlawfully grown plants" is substituted for the former reference to "[c]onduct[ing] programs of eradication aimed at destroying wild or illicit growth of plant species" for brevity.

In the introductory language of subsection (b)(4) of this section, the reference to the "federal Drug Enforcement Administration" is substituted for the former obsolete reference to the "federal Bureau of Narcotics and Dangerous Drugs". In 1973, the Bureau of Narcotics and Dangerous Drugs was abolished by Executive Order, and its functions were taken over by the federal Drug Enforcement Administration (DEA). See §§ 3 and 4 of Reorganization Plan No. 2 of 1973 in U.S.C. Title 5, Appendix 1.

Defined terms: "Agent" § 5-101

"Controlled dangerous substance" § 5-101

"Department" § 5-101

"Drug" § 5-101

"Drug dependent person" § 5-101

"Secretary" § 5-101

"State" § 1-101

5-202. CONTROL OF SUBSTANCES.

(A) IN GENERAL.

THE DEPARTMENT SHALL CONTROL ALL SUBSTANCES LISTED IN SUBTITLE 4 OF THIS TITLE.

(B) ADDITIONAL SUBSTANCES.

IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT, THE DEPARTMENT MAY ADD A SUBSTANCE AS A CONTROLLED DANGEROUS SUBSTANCE ON ITS OWN INITIATIVE OR ON THE PETITION OF AN INTERESTED PARTY.

(C) FACTORS FOR CONSIDERATION.

TO DETERMINE WHETHER TO ADD A SUBSTANCE AS A CONTROLLED DANGEROUS SUBSTANCE, THE DEPARTMENT SHALL CONSIDER:

(1) THE ACTUAL OR RELATIVE POTENTIAL FOR ABUSE OF THE SUBSTANCE;