

SUBSECTION (B) OF THIS SECTION, THE STATE SHALL PROVIDE WRITTEN NOTICE TO THE DEFENDANT THAT THE STATE INTENDS TO:

(I) RELY ON THE AFFIDAVIT; AND

(II) INTRODUCE THE AFFIDAVIT INTO EVIDENCE AT THE PROCEEDING.

(2) ON WRITTEN DEMAND OF A DEFENDANT FILED AT LEAST 5 DAYS BEFORE THE PROCEEDING DESCRIBED IN SUBSECTION (A) OF THIS SECTION, THE STATE SHALL REQUIRE THE PRESENCE OF THE AFFIANT AS A PROSECUTION WITNESS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 305(b) and (c).

Throughout this section, the defined term "counterfeit" in various grammatical inflections is substituted for the former references to "forgery" and a "forged" prescription for consistency within this article.

In subsection (a)(2) of this section, the former reference to an authorized provider "who is licensed by law to prescribe" is deleted as included in the definition of that term. See § 5-101 of this title.

Defined terms: "Authorized provider" § 5-101

"Controlled dangerous substance" § 5-101

"Counterfeit" § 1-101

"Prescription drug" § 5-101

5-706. RESERVED.

5-707. RESERVED.

PART II. OTHER SUBSTANCES.

5-708. INHALANT.

(A) SCOPE OF SECTION.

(1) THIS SECTION APPLIES TO FINGERNAIL POLISH, MODEL AIRPLANE GLUE, OR ANY OTHER SUBSTANCE THAT CAUSES INTOXICATION, INEBRIATION, EXCITEMENT, STUPEFACTION, OR DULLING OF THE BRAIN OR NERVOUS SYSTEM WHEN SMELLED OR INHALED.

(2) THIS SECTION DOES NOT APPLY TO:

(I) THE INHALATION OF ANAESTHESIA FOR MEDICAL OR DENTAL PURPOSES; OR

(II) CONTROLLED DANGEROUS SUBSTANCES.

(B) PROHIBITED.