

# HOUSE BILL 334

E1

6lr2015

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By: **Delegates Valentino-Smith and B. Wilson**

Introduced and read first time: January 27, 2016

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Marijuana Consumption in Public Place – Prohibition**

3 FOR the purpose of prohibiting a person from smoking or consuming marijuana in a public  
4 place or in a vehicle located on a highway, in a parking lot, or in an area accessible  
5 to the public; prohibiting a person from being impaired by marijuana and  
6 endangering the safety of the person, another person, or property; establishing  
7 certain penalties; and generally relating to marijuana.

8 BY adding to

9 Article – Criminal Law

10 Section 5–601.2

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2015 Supplement)

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

15 **Article – Criminal Law**

16 **5–601.2.**

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
18 INDICATED.

19 (2) “HIGHWAY” HAS THE MEANING STATED IN § 8–101 OF THE  
20 TRANSPORTATION ARTICLE.

21 (3) “PUBLIC PLACE” HAS THE MEANING STATED IN § 10–201 OF THIS  
22 ARTICLE.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(4) "SMOKE" MEANS TO INHALE, INGEST, OR OTHERWISE INTRODUCE**  
2 **MARIJUANA INTO THE HUMAN BODY OR TO HOLD OR CARRY A LIGHTED ROLL OF**  
3 **PAPER OR OTHER LIGHTED SMOKING EQUIPMENT FILLED WITH MARIJUANA.**

4           **(B) A PERSON MAY NOT SMOKE OR OTHERWISE CONSUME MARIJUANA IN:**

5                 **(1) A PUBLIC PLACE; OR**

6                 **(2) A VEHICLE THAT IS ON A HIGHWAY, IN A PARKING LOT, OR**  
7 **OTHERWISE IN AN AREA ACCESSIBLE TO THE PUBLIC.**

8           **(C) A PERSON MAY NOT BE IMPAIRED DUE TO SMOKING OR OTHERWISE**  
9 **CONSUMING MARIJUANA AND ENDANGER THE SAFETY OF THE PERSON, ANOTHER**  
10 **PERSON, OR PROPERTY.**

11           **(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**  
12 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 60 DAYS OR A**  
13 **FINE NOT EXCEEDING \$500 OR BOTH.**

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2016.