

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

Legislative Session _____ 1990

Bill No. _____ CB-6-1990

Chapter No. _____ 7

Proposed and Presented by _____ Council Member Mills

Introduced by _____ Council Member Mills

Co-Sponsors _____

Date of Introduction _____ March 20, 1990

EMERGENCY BILL

AN EMERGENCY ACT concerning

Controlled Dangerous Substances

FOR the purpose of prohibiting the attempted possession of a controlled dangerous substance, prohibiting the use or intended use of a motor vehicle to transport or to facilitate the transportation, sale, receipt, possession or concealment of a controlled dangerous substance; and providing penalties for violation.

BY adding:

SUBTITLE 14. MORALS AND CONDUCT.

DIVISION 12. CONTROLLED DANGEROUS
SUBSTANCES.

Sections 14-164,
14-165, and

14-166,

The Prince George's County Code
(1987 Edition, 1988 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 14-164 through 14-166 be and the same are hereby added to the Prince George's County Code:

SUBTITLE 14. MORALS AND CONDUCT.

DIVISION 12. CONTROLLED DANGEROUS SUBSTANCES.

Sec. 14-164. Definitions.

(a) A "controlled dangerous substance" under this Division means cocaine, phencyclidine, marijuana or any other drug, substance or immediate precursor in Schedules I through V of Article 27, Section 279 of the Annotated Code of Maryland, 1957 Edition as amended or any substance believed to be cocaine, phenycyclidine, marijuana or any other drug, substance or immediate precursor in Schedules I through V of Article 27, Section 279 of the Annotated Code of Maryland, 1957 Edition as amended.

Sec. 14-165. Unlawful acts.

(a) It shall be unlawful for any person to attempt to possess any controlled dangerous substance.

(b) It shall be unlawful for any person to operate, or knowingly permit another to operate any motor vehicle with the knowledge that the operation of the vehicle is being used or intended for use to transport or in any manner to facilitate the transportation, sale, receipt, possession or concealment of any controlled dangerous substance.

(c) It shall not be a defense to a prosecution under this Division that the substance that the person actually possessed or that the person attempted to possess was not a controlled dangerous substance, if the person believed that the substance was a controlled dangerous substance.

Sec. 14-166. Penalty.

Violation of this Division shall be punishable upon conviction by imprisonment not to exceed six (6) months or a fine of One Thousand Dollars (\$1,000) or both.

SECTION 2. BE IT FURTHER ENACTED that an emergency is hereby declared to exist affecting the public health, safety, and welfare, the emergency being the need to prohibit the use of motor vehicles to trade in controlled dangerous substances and to prohibit the attempted possession of controlled dangerous substances.

SECTION 3. BE IT FURTHER ENACTED that this Act shall become effective on the day it becomes law.

Adopted this 17th day of April, 1990, by an affirmative vote of two-thirds of the members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Jo Ann T. Bell
Chairman

ATTEST:

Jean M. Schmuhl, CMC
Clerk of the Council

APPROVED:

Date: _____

BY: _____
Parris N. Glendening
County Executive

KEY:

Underscoring indicates language added to existing law.