



## **HB 1378 – Criminal Law – Opioids – Distribution Causing Death of a Minor**

**Committee: Judiciary**

**Date: March 6, 2020**

**POSITION: Oppose**

**The Maryland Coalition of Families:** Maryland Coalition of Families (MCF) helps families who care for someone with behavioral health needs. Using personal experience as parents, caregivers and other loved ones, our staff provide one-to-one peer support and navigation services to parents and caregivers of young people with mental health issues and to any loved one who cares for someone with a substance use or gambling issue.

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MCF opposes HB 1378.

HB 1378 provides for a penalty of up to 30 years imprisonment for those who distribute an opioid to a minor that results in death. Since it frequently is the case that it is a fellow user who supplies the opiate, if they observe an overdose, they will be unlikely to risk the potential of themselves being charged with up to 30 years in prison by calling 911 to seek help. This bill would have the unintended consequence of increasing the number of opiate overdoses. The bill would also have the result of severely penalizing young people who themselves have an opioid addiction, while not touching the drug kingpins.

Finally, HB 1378 will undermine the Good Samaritan Law. Most will be unaware that there is an immunity clause in this law. They will know, however, of the severe penalty.

Therefore we urge an unfavorable report on HB 1378.

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