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To: Members of The House Judiciary Committee and Senate Judicial Proceedings Committee

From: Doyle Niemann, Chair, Legislative Committee, Criminal Law and Practice Section

Date: February 9, 2021

Subject: **HB372 – SB420 – Criminal Law – Drug Paraphernalia for Administration - Decriminalization**

Position: **Support**

The Legislative Committee of the Criminal Law & Practice Section of the Maryland State Bar Association (MSBA) **Supports HB372 – SB420 – Criminal Law – Drug Paraphernalia for Administration – Decriminalization.**

This bill repeals part of the current law governing the possession of drug paraphernalia that is possessed by users.

This is a sensible change that reflects the current state of prosecutions in most jurisdictions. It also corrects an oversight in the passage of laws related to marijuana possession, which left the charge of paraphernalia punishable by incarceration and a criminal charge when possession of small amounts of the substance itself is only subject to a civil citation.

For the reasons stated, we **Support HB372 – SB420 – Criminal Law – Drug Paraphernalia for Administration – Decriminalization.**

If you have questions about the position of the Criminal Law and Practice Section's Legislative Committee, please feel free to address them to me at 240-606-1298 or at doyleniemann@verizon.net.

Should you have other questions, please contact The MSBA's Legislative Office at (410)-269-6464 / (410)-685-7878 ext: 3066 or at Richard@MSBA.org.