

Thereafter, each such Judge shall be elected by the legal and qualified voters of Baltimore City at the election to be held on the Tuesday next after the first Monday of November 1970. The Judges, when appointed or elected, are subject to all the provisions of the Constitution and laws relating to the Supreme Bench of Baltimore City and the several Judges thereof.

SEC. 2. *And be it further enacted,* That this Act shall take effect July 1, 1968.

Approved May 7, 1968.

CHAPTER 695

(House Bill 592)

AN ACT to add new Section 6-123 to the Code of Public Local Laws of Anne Arundel County (1967 Edition, being Article 2 of the Code of Public Local Laws of Maryland), title "Anne Arundel County," subtitle "Crimes and Misdemeanors," subheading "Generally," to follow immediately after Section 122 thereof, to prohibit the possession or use in Anne Arundel County of the plant commonly called "Jimson Weed" ~~for the purpose of obtaining an intoxicating, hallucinatory or poisonous effect from the plant~~ EXCEPT FOR LEGITIMATE MEDICAL PURPOSES, and providing penalties for violations.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 6-123 be and it is hereby added to the Code of Public Local Laws of Anne Arundel County (1967 Edition, being Article 2 of the Code of Public Local Laws of Maryland), title "Anne Arundel County," subtitle "Crimes and Misdemeanors," subheading "Generally," to follow immediately after Section 122 thereof, to read as follows:

6-123.

It is unlawful to possess or use in the county any part of the plant known as datura stramonium, also known as "jimson weed" for the purpose of obtaining an intoxicating, hallucinatory or poisonous effect from the plant EXCEPT FOR LEGITIMATE MEDICAL PURPOSES. ~~Consumption~~ EXCEPT FOR SUCH LEGITIMATE MEDICAL PURPOSES, ~~CONSUMPTION~~ of any part of such plant shall ~~be proof~~ CREATE A REBUTTABLE PRESUMPTION of intention to obtain an intoxicating, hallucinatory or poisonous effect. Any person who violates the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$250.00 or be imprisoned not more than one year, or both, in the discretion of the court, and for the second, or subsequent offense, shall be fined not more than \$500.00 or imprisoned not more than two years, or both, in the discretion of the court.

SEC. 2. *And be it further enacted,* That this Act shall take effect July 1, 1968.

Approved May 7, 1968.