

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved April 9, 2002.

CHAPTER 40

(House Bill 194)

AN ACT concerning

Business Regulation - Returnable Container - Warrant

FOR the purpose of requiring a person who has registered a returnable container or a returnable textile and who makes a certain affidavit to demonstrate probable cause to believe that the law pertaining to certain returnable containers and marked returnable textiles is being violated before a search warrant may be issued; and generally relating to returnable containers and textiles.

BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 19-305(a)

Annotated Code of Maryland

(As enacted by Chapter 26 (H.B. 11) of the Acts of the General Assembly of 2002)

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

Article - Business Regulation

19-305.

(a) A District Court judge shall issue a search warrant, authorizing a search of the premises specified in the warrant, to a sheriff, deputy sheriff, or other law enforcement officer to whom a warrant may be directed, if a person who has registered a returnable container or returnable textile, or the person's agent, makes an affidavit before the judge, stating that:

(1) the affiant [reasonably believes] DEMONSTRATES PROBABLE CAUSE TO BELIEVE that a violation of § 19-304(a), (b), (c), or (d) of this subtitle has occurred; and

(2) evidence of the violation may be obtained by a search of premises specified by the affiant.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved April 9, 2002.