

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 288(b), (c), and (a)(2) through (6).

In subsection (a) of this section, the reference to a symbol "for a substance governed by this title" is added for clarity.

In subsection (e) of this section, the defined term "person" is substituted for the former references to a "practitioner" for consistency within this article. Because only an "authorized provider", formerly defined as a "practitioner", may violate this section, the substitution does not render a substantive change.

In subsection (e)(2) of this section, the former reference to a prosecution "by an information or indictment" is deleted as implicit in the reference to being "guilty of a misdemeanor".

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that subsections (c) and (d) of this section are derived from former Art. 27, § 288(c), which was enacted by Chapter 403 of the Acts of 1970 and became effective July 1, 1970. It refers only to "controlled paraphernalia", also enacted by Chapter 403, not to "drug paraphernalia". "Drug paraphernalia" is a later term, first defined in Art. 27, § 287A(a), which was enacted by Chapter 874 of the Acts of 1980 and became effective May 27, 1980. The General Assembly may wish to consider adding a reference to "drug paraphernalia" to subsections (c) and (d) of this section.

Defined terms: "Administer" § 5-101
 "Authorized provider" § 5-101
 "Controlled dangerous substance" § 5-101
 "Controlled paraphernalia" § 5-101
 "Dispense" § 5-101
 "Distribute" § 5-101
 "Manufacture" § 5-101
 "Person" § 1-101
 "Possess" § 5-101
 "Registrant" § 5-101

5-903. USE OF FALSE REGISTRATION.

(A) PROHIBITED.

IN MANUFACTURING OR DISTRIBUTING A CONTROLLED DANGEROUS SUBSTANCE, A PERSON MAY NOT WILLFULLY USE A REGISTRATION NUMBER THAT IS FICTITIOUS, REVOKED, SUSPENDED, OR ISSUED TO ANOTHER.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$100,000 OR BOTH.