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SENATE BILL 319: ASSISTED SUICIDE - PROHIBITION

By John R. Muckelbauer

Beginning October 1, 1999, Maryland expressly prohibited assisted suicides. Senate Bill 319, and its companion House Bill 496, prohibits anyone from participating in the assisted suicide of another. The Bill amends Maryland Annotated Code, Article 27, section 4116 in prohibiting such practice. Anyone found in violation of the law will be subject to a sentence of up to a year in jail, a \$10,000 fine, or both. The law makes it illegal for one person to knowingly assist in another's suicide. The law, however, provides an exception for a health care professional who withholds or withdraws a life sustaining procedure in accordance with state law or reasonable medical procedure.

In passing the legislation, Maryland joins a list of 35 other states that have explicitly prohibited assisted suicide. Currently, eight states prohibit assisted suicide through common law. Only one state, Oregon, expressly allows for the practice to occur. Three states, Wyoming, Utah, and North Carolina, that do not have statutes criminalizing the practice have abolished the common law crimes and may allow for such a procedure.