

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

February 13, 2009

The Honorable President and
Members of the Baltimore
City Council
c/o Karen Randle, Executive Secretary
409 City Hall
Baltimore, MD 21202

RE: City Council Bill 08-0247 – Sale of Contraceptives – Repeal of Ban

Dear President and Members

You have requested the advice of the Law Department regarding City Council Bill 08-0247. City Council Bill 247 repeals the prohibition against selling contraceptives to minors under 16 years of age.

The Supreme Court has held that banning the sale of contraceptives to minors violates their constitutional right to privacy as guaranteed by the Fourteenth Amendment. *Carey v. Population Services International*, 431 U.S. 678 (1977). Repealing this language in the Baltimore City Code is therefore legally appropriate and necessary.

City Council Bill 08-0247 is consistent with the authority of the City Council. The Law Department, therefore, approves the City Council Bill 08-0247 for form and legal sufficiency.

Sincerely yours,

Ashlea H. Brown
Assistant Solicitor

