

February 23, 2021

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 21-0038 Human-Trafficking Notice Requirements –
Modifications

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0038 for form and legal sufficiency. The bill requires City-owned and occupied buildings to place a notice regarding the human-trafficking prevention hotline in certain locations.

To raise awareness and combat the problem of human trafficking, the City may require that these signs be posted in places where victims of human trafficking may travel. State law currently requires the posting of similar notices in rest areas, welcome centers and transportation centers, bus stations, truck stops, adult entertainment establishments, and in certain hotels where crimes related to human trafficking have occurred. Md. Code, Trans. § 8-655; Md. Code Bus. Reg., §§ 15-207, 19-103. Since these buildings are City owned and occupied, there is no compelled speech issue (as may be presented by posting requirements of a privately-owned business).

This posting requirement is a valid exercise of the City's police and general welfare powers. City Charter, Art. II, §§ (27), (47). Police powers can be legitimately exercised when the regulations are rationally related to preserving the public health, safety, morals or general welfare of the public. When such justification is present, the City is entitled to "great deference" in determining how it addresses its problems. *New Orleans v. Dukes*, 427 U.S. 297, 303-304 (1976).

If the intent is to delete the reference to the Maryland Department of Labor, Licensing and Regulation, the bill is missing a bracket at the beginning of the text on page 3, line 21.

As there are no legal impediments to this bill, the Law Department approves it for form and legal sufficiency.

Very truly yours,



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cc: Matthew Stegman
Nina Themelis
Nikki Thompson
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Victor Tervalo
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