



Legislation Details (With Text)

File #: 08-0227 **Version:** 0 **Name:** Registered Sex Offenders - Residence Near Schools, etc., Prohibited

Type: Ordinance **Status:** Failed - End of Term

File created: 10/27/2008 **In control:** City Council

On agenda: **Final action:**

Enactment date: **Enactment #:**

Title: Registered Sex Offenders - Residence Near Schools, etc., Prohibited

FOR the purpose of prohibiting a registered sex offender from residing within a certain distance of a school, child care facility, or certain recreation or service facilities; defining certain terms; imposing certain penalties; excepting certain situations; and generally relating to prohibiting a registered sex offender from residing near locations where children congregate.

Sponsors: Warren Branch, Nicholas C. D'Adamo, Bill Henry, William H. Cole, IV, President Young, Rochelle Spector, Belinda Conaway, Helen L. Holton, Mary Pat Clarke, Agnes Welch, Robert Curran, Sharon Green Middleton, Edward Reisinger

Indexes: Registered Sex Offenders, Residences

Code sections:

Attachments: 1. 08-0227 - 1st Reader.pdf, 2. BCPSS - 08-0227.pdf, 3. HCD - 08-0227.pdf, 4. Recreation and Parks - 08-0227.pdf

Date	Ver.	Action By	Action	Result
10/30/2008	0	The City Council	Referred for a Report	
10/30/2008	0	The City Council	Referred for a Report	
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10/30/2008	0	The City Council	Referred for a Report	
10/27/2008	0	City Council	Assigned	
10/27/2008	0	City Council	Introduced	

EXPLANATION: CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

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THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.
INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Branch

A BILL ENTITLED

AN ORDINANCE concerning

Registered Sex Offenders - Residence Near Schools, etc., Prohibited

FOR the purpose of prohibiting a registered sex offender from residing within a certain distance of a school, child care facility, or certain recreation or service facilities; defining certain terms; imposing certain penalties; excepting certain situations; and generally relating to prohibiting a registered sex offender from residing near locations where children congregate.

BY adding

Article 19 - Police Ordinances

Section(s) 39-1 through 39-5, to be under the new subtitle,

“Subtitle 39. Registered Sex Offenders”.

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

SUBTITLE 39. REGISTERED SEX OFFENDERS

§ 39-1. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) REGISTERED SEX OFFENDER.

“REGISTERED SEX OFFENDER” MEANS ANY PERSON WHO IS REGISTERED UNDER THE STATE CRIMINAL PROCEDURE ARTICLE TITLE 11 {“VICTIMS AND WITNESSES”}, SUBTITLE 7 {“REGISTRATION OF CERTAIN OFFENDERS”}.

(C) RESIDE.

“RESIDE” MEANS TO OCCUPY A HOME OR DWELLING AS A PERMANENT OR TEMPORARY PLACE OF ABODE.

§ 39-2. RESIDING NEAR SCHOOLS, DAY CARE FACILITIES, AND PLAYGROUNDS, ETC., PROHIBITED.

A REGISTERED SEX OFFENDER MAY NOT KNOWINGLY RESIDE WITHIN 2,000 FEET, MEASURED FROM PROPERTY BOUNDARY LINE TO PROPERTY BOUNDARY LINE AT THEIR CLOSEST POINTS, OF ANY OF THE FOLLOWING:

(1) ANY PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY SCHOOL;

(2) ANY FAMILY DAY CARE HOME, CHILD CARE HOME, CHILD CARE INSTITUTION, OR CHILD CARE CENTER REGISTERED OR LICENSED UNDER THE STATE FAMILY LAW ARTICLE TITLE 5 {"CHILDREN"}, SUBTITLE 5 {"CHILD CARE; FOSTER CARE"}; OR

(3) ANY PLAYGROUND, ATHLETIC FIELD, PARK, YOUTH CENTER, SWIMMING POOL, VIDEO ARCADE, SKATING RINK, OR OTHER PUBLIC OR PRIVATE FACILITY THE PRINCIPAL PURPOSE OF WHICH IS TO PROVIDE RECREATION OR SERVICES TO CHILDREN.

§ 39-3. EXCEPTION.

THIS SUBTITLE DOES NOT APPLY TO A RESIDENCE THAT THE REGISTERED SEX OFFENDER OWNED OR OCCUPIED BEFORE THE SCHOOL, CHILD CARE FACILITY, OR RECREATION OR SERVICE FACILITY WAS ESTABLISHED.

§ 39-4. {RESERVED}

§ 39-5. PENALTIES.

A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR IMPRISONMENT OF NOT MORE THAN 12 MONTHS OR BOTH.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

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