

Legislation Details (With Text)

File #:	10-0616	Version:	0	Name:	Prohibited Distribution of K2 or "Spice"		
Туре:	Ordinance			Status:	Failed - End of Term		
File created:	10/18/2010			In control:	City Council		
On agenda:				Final action:			
Enactment date:				Enactment #:			
Title:	Prohibited Distribution of K2 or "Spice"						
	FOR the purpose of prohibiting the distribution of certain synthetic products or compounds, variously known as K2, "Spice", or otherwise; defining certain terms; establishing certain exceptions; imposing certain penalties; and generally relating to the regulation of these products or compounds.						
Sponsors:	Sharon Green Middleton, Bill Henry, Nicholas C. D'Adamo, James B. Kraft, William H. Cole, IV, Warren Branch, Helen L. Holton, Rochelle Spector, Agnes Welch, Mary Pat Clarke, President Young, Robert Curran						
Indexes:	Distribution, K2, Prohibition, Spice						
Code sections:							
Attachments:	1. 10-0616 - 1st Reader.pdf, 2. Police - 10-0616.pdf, 3. Law - 10-0616.pdf, 4. Criminal Justice - 10- 0616.pdf, 5. Health - 10-0616.pdf, 6. Finance - 10-0616.pdf						

- E							
	Date	Ver.	Action By	Action	Result		
	12/6/2010	0	The City Council	Reassigned			
	11/8/2010	0	Public Safety and Health Committee	Scheduled for a Public Hearing			
	10/21/2010	0	The City Council	Referred for a Report			
	10/21/2010	0	The City Council	Referred for a Report			
	10/21/2010	0	The City Council	Referred for a Report			
	10/21/2010	0	The City Council	Referred for a Report			
	10/21/2010	0	The City Council	Referred for a Report			
	10/18/2010	0	City Council	Assigned			
	10/18/2010	0	City Council	Introduced			

EXPLANATION: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law.

CITY OF BALTIMORE COUNCIL BILL

Introduced by: Councilmember Middleton

A BILL ENTITLED

^{*} WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL. THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY. INTRODUCTORY*

AN ORDINANCE concerning **Prohibited Distribution of K2 or "Spice"**

FOR the purpose of prohibiting the distribution of certain synthetic products or compounds, variously known as K2, "Spice", or otherwise; defining certain terms; establishing certain exceptions; imposing certain penalties; and generally relating to the regulation of these products or compounds.

BY adding Article - Health Section(s) 18-103 Baltimore City Revised 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 Revised Code

Article - Health

Title 18. Miscellaneous Regulations

§ 18-103. DISTRIBUTION OF K2 OR "SPICE"

- (A) DEFINITIONS.
- (1) IN GENERAL.

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

(2) DISTRIBUTE.

"DISTRIBUTE" MEANS TO:

- (I) GIVE, SELL, DELIVER, DISPENSE, OR ISSUE;
- (II) OFFER TO GIVE, SELL, DELIVER, DISPENSE, OR ISSUE; OR

(III) CAUSE OR HIRE ANY PERSON TO:

- A. GIVE, SELL, DELIVER, DISPENSE, OR ISSUE; OR
 - B. OFFER TO GIVE AWAY, SELL, DELIVER, DISPENSE, OR ISSUE.
 - (3) SPICE.

"SPICE"MEANS ANY MATERIAL, SUBSTANCE, COMPOUND, MIXTURE, OR PREPARATION, IN ANY FORM AND BY WHATEVER NAME KNOWN ("SPICE", "K2", OR OTHERWISE), THAT CONTAINS THE COMPOUND JWH-018 OR JWH073. (B) SCOPE.

THIS SECTION DOES NOT APPLY TO ANY ACCREDITED ACADEMIC, MEDICAL, OR RESEARCH FACILITY, OR ANY OF THEIR AUTHORIZED AGENTS, CONDUCTING RESEARCH ON SPICE.

(C) PROHIBITED CONDUCT.

- (1) A PERSON MAY NOT PURCHASE, USE, OR POSSESS SPICE.
- (2) A PERSON MAY NOT DISTRIBUTE ANY SUBSTANCE:
- (I) THAT THE PERSON REPRESENTS TO BE SPICE;
- (II) THAT THE PERSON INTENDS TO BE USED OR DISTRIBUTED AS SPICE; OR

(III) UNDER CIRCUMSTANCES THAT ONE REASONABLE SHOULD KNOW THAT THE SUBSTANCE WILL BE USED OR DISTRIBUTED AS SPICE.

(D) CRIMINAL PENALTIES: \$500 60 DAYS.

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$500 OR IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR BOTH FINE AND IMPRISONMENT FOR EACH OFFENSE.

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.

dlr10-2188b~intro/14Oct10 He/K2/aa:me

dlr10-2188b~intro/14Oct10 ??2?? He/K2/aa:me