



Legislation Details (With Text)

File #: 20-0520 **Version:** 0 **Name:** False Statements - States of Emergency
Type: Ordinance **Status:** Failed - End of Term
File created: 4/13/2020 **In control:** Judiciary Committee
On agenda: **Final action:** 12/7/2020
Enactment date: **Enactment #:**

Title: False Statements - States of Emergency
 For the purpose of prohibiting a person from making certain false statements during a declared state of emergency; defining certain terms; conforming and correcting related provisions; and providing for a special effective date.

Sponsors: Mayor Brandon M. Scott, Bill Henry, Sharon Green Middleton, Mary Pat Clarke, Eric T. Costello, Robert Stokes, Sr., Zeke Cohen, Leon F. Pinkett, III, Ryan Dorsey, Isaac "Yitzy" Schleifer, John Bullock, Shannon Sneed

Indexes: False Statements

Code sections:

Attachments: 1. 20-0520~1st Reader

Date	Ver.	Action By	Action	Result
12/7/2020	0	City Council	Failed - End of Term	
4/16/2020	0	The City Council	Refer to Office of Equity and Civil Rights	
4/16/2020	0	The City Council	Refer to Commission on Aging and Retirement Education	
4/16/2020	0	The City Council	Refer to States' Attorney's Office	
4/16/2020	0	The City Council	Refer to Police Department	
4/16/2020	0	The City Council	Refer to Dept. of Health	
4/13/2020	0	City Council	Assigned	
4/13/2020	0	City Council	Introduced	

DLR Draft I 08Apr20

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Explanation: Capitals indicate matter added to existing law.
 [Brackets] indicate matter deleted from existing law.

*** Warning:** This is an unofficial, introductory copy of the bill.
 The official copy considered by the City Council is the first reader copy.

Introductory*

City of Baltimore Council Bill

Introduced by: President Scott

A Bill Entitled

An Ordinance concerning
False Statements - States of Emergency
 For the purpose of prohibiting a person from making certain false statements during a declared state of

emergency; defining certain terms; conforming and correcting related provisions; and providing for a special effective date.

By repealing and re-ordaining, with amendments

Article 19 - Police Ordinances
Section(s) 21-3
Baltimore City Code
(Edition 2000)

By renumbering current

Article 19 - Police Ordinances
Sections 21-1, 21-2, and 21-3, respectively, to Sections 21-2, 21-3, and 21-5, respectively
Baltimore City Code
(Edition 2000)

By adding

Article 19 - Police Ordinances
Section(s) 21-1 and 21-4
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 21. Fraud - Impersonations and False Representations

§ 21-1. “Person” defined.

In this subtitle, “person” means:

- (1) an individual;
- (2) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or
- (3) a partnership, firm, association, corporation, or other entity of any kind.

§ 21-2. [§ 21-1.] Impersonating inspector or other official.

It shall be unlawful for any person falsely to represent or imply within the City of Baltimore that he is an inspector or other official or employee of any department, bureau, board, commission, or other agency of the Mayor and City Council of Baltimore.

§ 21-3. [§ 21-2.] Misrepresenting regulated structures, etc.

It shall be unlawful for any person wilfully to make a false representation or implication within the City of Baltimore as to the condition, workability, or efficiency of any building, structure, mechanical device, or

other thing which is subject in any way to the regulating powers or control of the Mayor and City Council of Baltimore, for the purpose of persuading or inducing the owner or person in control thereof to have made any change, repair, or improvement in the building, structure, mechanical device, or thing.

§ 21-4. False statements regarding declared states of emergency.

(a) *“State of emergency” defined.*

In this section, “state of emergency” means a period of time in which:

- (1) a proclamation has been issued by the Governor declaring a state of emergency under Title 14, Subtitle 3 of the State Public Safety Article {“Governor’s Emergency Powers”};
- (2) a proclamation has been issued by the Governor declaring a catastrophic health emergency under Title 14, Subtitle 3A of the State Public Safety Article {“Governor’s Health Emergency Powers”}; or
- (3) an order or proclamation has been issued by the Mayor declaring a state of emergency under § 14-111 {“Local state of emergency”} of the State Public Safety Article.

(b) *False statements prohibited.*

While a state of emergency is pending, a person may not willfully, maliciously, or with reckless disregard for human safety make a statement regarding a state of emergency or the underlying cause of the state of emergency that the person knows to be false or misleading with the intent to deceive another.

§ 21-5. [§ 21-3.] Penalties.

Any person[, firm, or corporation] violating any provision of this subtitle shall be deemed guilty of a misdemeanor and, [upon] on conviction [thereof], shall be subject to a fine not exceeding \$500, or to imprisonment for a period not exceeding 12 months, or to both [such] fine and imprisonment, in the discretion of the court.

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 date it is enacted.