



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 08-0032, **Version:** 0

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Conaway

A BILL ENTITLED

AN ORDINANCE concerning
Salvia Divinorum - Prohibited

FOR the purpose of prohibiting certain conduct involving Salvia divinorum; defining certain terms; and imposing certain penalties.

BY adding

Article 19 - Police Ordinances

Section(s) 18-1 to 18-4, to be under the new subtitle,

"Subtitle 18. Drugs - Salvia Divinorum"

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 18. Drugs - Salvia Divinorum

§ 18-1. DEFINITIONS.

(A) IN GENERAL.

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

(B) SALVIA DIVINORUM.

(1) GENERAL.

"SALVIA DIVINORUM" MEANS THE PLANT CLASSIFIED BOTANICALLY AS SALVIA DIVINORUM, WHETHER GROWING OR NOT.

(2) INCLUSIONS.

"SALVIA DIVINORUM" INCLUDES:

- (I) ANY PART OF THE PLANT;
- (II) ANY EXTRACT FROM ANY PART OF THE PLANT;
- (III) ANY COMPOUND OR MANUFACTURE FROM ANY PART OF THE PLANT;
- (IV) ANY SALT, ISOMER, OR SALT OF ISOMER OF ANY PART OF THE PLANT OR ITS EXTRACTS; AND
- (V) ANY COUNTERFEIT OR SIMULATED FORM OF ANY OF THESE.

§ 18-2. PROHIBITED CONDUCT.

(A) SALE, GIVE, ETC.

NO PERSON MAY:

- (1) SELL, GIVE, OR OTHERWISE TRANSFER SALVIA DIVINORUM TO ANOTHER PERSON; OR
- (2) POSSESS FOR THE PURPOSE OR WITH THE INTENT OF SELLING, GIVING, OR OTHERWISE TRANSFERRING SALVIA DIVINORUM TO ANOTHER PERSON.

(B) GROW, MANUFACTURE, ETC.

NO PERSON MAY PLANT, CULTIVATE, GROW, HARVEST, OR MANUFACTURE OR COMPOUND ANY SALVIA DIVINORUM.

(C) POSSESSION, USE, ETC.

NO PERSON MAY POSSESS, CHEW, SMOKE, OR OTHERWISE INGEST OR USE ANY SALVIA DIVINORUM.

§ 18-3. {RESERVED}

§ 18-4. PENALTIES.

(A) VIOLATION A MISDEMEANOR.

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO THE FOLLOWING PENALTIES.

(B) SALE, GIVE, ETC.

FOR A VIOLATION OF § 18-2(A) {PROHIBITED CONDUCT: SALE, GIVE, ETC.}, THE PENALTY IS A FINE OF UP TO \$1,000 OR IMPRISONMENT FOR UP TO 1 YEAR OR BOTH.

(C) GROW, MANUFACTURE, ETC.

FOR A VIOLATION OF § 18-2(B) {PROHIBITED CONDUCT: GROW, MANUFACTURE, ETC.}, THE PENALTY IS A FINE OF UP TO \$500 OR IMPRISONMENT FOR UP TO 6 MONTHS OR BOTH.

(D) POSSESS, USE, ETC.

FOR A VIOLATION OF § 18-2(C) {PROHIBITED CONDUCT: POSSESS, USE, ETC.}, THE PENALTY IS A FINE OF UP TO \$500 OR IMPRISONMENT FOR UP TO 6 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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