



Legislation Text

File #: 10-0616, **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 Middleton

A BILL ENTITLED

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.

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