

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2010, Legislative Day No.

Bill No. 77-10

Mr. Kevin Kamenetz, Councilman

By the County Council, September 7, 2010

A BILL
ENTITLED

AN ACT concerning

Regulation of Certain Synthetic Products

FOR the purpose of prohibiting the distribution, use, purchase or possession of certain synthetic products or compounds known as Spice or K2; defining terms; providing exceptions; providing penalties; and generally relating to the regulation of certain synthetic compounds.

BY adding

Section 17-1-118
Article 17 - Miscellaneous Provisions and Offenses
Title 1- Miscellaneous Provisions and Offenses
Baltimore County Code, 2003

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that Section 17-1-118 be and it is hereby added to Article 17 -
3 Miscellaneous Provisions and Offenses, Title 1- Miscellaneous Provisions and Offenses, of the
4 Baltimore County Code 2003, to read as follows:

5

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 §17-1-118. SPICE.

2 (A) DEFINITIONS.

3 (1) AS USED IN THIS SECTION, THE FOLLOWING WORDS HAVE THE
4 MEANINGS INDICATED.

5 (2) "DISTRIBUTE" MEANS TO:

6 (I) GIVE, SELL, DELIVER, DISPENSE, OR ISSUE; OR

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

8 (III) CAUSE OR HIRE ANY PERSON TO GIVE, SELL, DELIVER,
9 DISPENSE, OR ISSUE OR OFFER TO GIVE, SELL, DELIVER, DISPENSE, OR ISSUE.

10 (3) "SPICE" MEANS A MATERIAL, SUBSTANCE, COMPOUND, MIXTURE OR
11 PREPARATION IN ANY FORM THAT CONTAINS THE COMPOUND JWH-018 OR JWH-073
12 AND IS KNOWN AS SPICE OR K2 OR ANY OTHER NAME.

13 (B) SCOPE. THIS SECTION DOES NOT APPLY TO AN ACCREDITED
14 ACADEMIC OR MEDICAL INSTITUTION OR RESEARCH FACILITY, OR
15 ANY AUTHORIZED AGENT OF SUCH FACILITIES, THAT CONDUCTS
16 RESEARCH ON SPICE.

17 (C) PROHIBITION.

18 (1) A PERSON MAY NOT PURCHASE, USE OR POSSESS SPICE.

19 (2) A PERSON MAY NOT DISTRIBUTE A SUBSTANCE:

20 (I) THAT THE PERSON REPRESENTS IS SPICE;

21 (II) THAT THE PERSON INTENDS FOR USE OR DISTRIBUTION AS
22 SPICE; OR

23 (III) UNDER CIRCUMSTANCES THAT ONE REASONABLY SHOULD
24 KNOW THAT THE SUBSTANCE WILL BE USED OR DISTRIBUTED FOR USE AS SPICE.

1 (D) PENALTY. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
2 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF \$500 OR
3 IMPRISONMENT NOT EXCEEDING 60 DAYS OR BOTH.

4
5 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days
after its enactment.

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