

HOUSE BILL 1002

E1, F2, E4
SB 311/11 – JPR

6lr1485
CF SB 906

By: **Delegates B. Barnes, Anderson, Atterbeary, Brooks, Busch, Clippinger, Cullison, Davis, Ebersole, Fennell, Frush, Gutierrez, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jameson, Jones, Kaiser, Korman, Krimm, Lafferty, Lam, Lierman, Luedtke, A. Miller, Moon, Morhaim, Platt, B. Robinson, Sanchez, Smith, Stein, Valderrama, and Waldstreicher**

Introduced and read first time: February 10, 2016

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Weapon-Free Higher Education Zones**

3 FOR the purpose of prohibiting the carrying or possession of certain firearms, knives, or
4 deadly weapons on the property of public institutions of higher education; providing
5 for certain exceptions to the prohibition; and generally relating to the carrying or
6 possession of firearms, knives, and deadly weapons at public institutions of higher
7 education.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 4–102
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2015 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Criminal Law**

16 4–102.

17 (a) This section does not apply to:

18 (1) a law enforcement officer in the regular course of the officer's duty;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) an off-duty law enforcement officer or a person who has retired as a law
2 enforcement officer in good standing from a law enforcement agency of the United States,
3 the State, or a local unit in the State who is a parent, guardian, or visitor of a student
4 attending a school located on the public school property **OR ON THE PROPERTY OF A**
5 **PUBLIC INSTITUTION OF HIGHER EDUCATION**, provided that:

6 (i) the officer or retired officer is displaying the officer's or retired
7 officer's badge or credential;

8 (ii) the weapon carried or possessed by the officer or retired officer is
9 concealed; and

10 (iii) the officer or retired officer is authorized to carry a concealed
11 handgun in the State;

12 (3) a person hired by a county board of education **OR A PUBLIC**
13 **INSTITUTION OF HIGHER EDUCATION** specifically for the purpose of guarding public
14 school **OR INSTITUTION** property;

15 (4) a person engaged in organized shooting activity for educational
16 purposes; or

17 (5) a person who, with a written invitation from the school principal **OR**
18 **THE PRESIDENT OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION**, displays or
19 engages in a historical demonstration using a weapon or a replica of a weapon for
20 educational purposes.

21 (b) A person may not carry or possess a firearm, knife, or deadly weapon of any
22 kind on public school property **OR ON THE PROPERTY OF A PUBLIC INSTITUTION OF**
23 **HIGHER EDUCATION**.

24 (c) (1) Except as provided in paragraph (2) of this subsection, a person who
25 violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment
26 not exceeding 3 years or a fine not exceeding \$1,000 or both.

27 (2) A person who is convicted of carrying or possessing a handgun in
28 violation of this section shall be sentenced under Subtitle 2 of this title.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2016.