

HOUSE BILL 919

E4

4lr2693

By: **Delegates K. Kelly, Cluster, DeBoy, McDermott, and Smigiel**

Introduced and read first time: February 5, 2014

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Transport of Weapons on School Property – Retired Law**
3 **Enforcement Officer**

4 FOR the purpose of providing that a certain prohibition on carrying or possessing a
5 certain weapon on public school property does not include a certain retired law
6 enforcement officer who is a parent, guardian, or visitor of a student attending a
7 school located on the public school property; and generally relating to retired
8 law enforcement officers.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 4–102
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2013 Supplement)

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

16 **Article – Criminal Law**

17 4–102.

18 (a) This section does not apply to:

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

20 (2) an off-duty law enforcement officer, **OR A PERSON WHO HAS**
21 **RETIRED AS A LAW ENFORCEMENT OFFICER IN GOOD STANDING FROM A LAW**
22 **ENFORCEMENT AGENCY OF THE UNITED STATES, THE STATE, OR A LOCAL UNIT**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **IN THE STATE**, who is a parent, guardian, or visitor of a student attending a school
2 located on the public school property, provided that:

3 (i) the officer **OR RETIRED OFFICER** is displaying the officer's
4 **OR RETIRED OFFICER'S** badge or credential; and

5 (ii) the weapon carried or possessed by the officer **OR RETIRED**
6 **OFFICER** is concealed;

7 (3) a person hired by a county board of education specifically for the
8 purpose of guarding public school property;

9 (4) a person engaged in organized shooting activity for educational
10 purposes; or

11 (5) a person who, with a written invitation from the school principal,
12 displays or engages in a historical demonstration using a weapon or a replica of a
13 weapon for educational purposes.

14 (b) A person may not carry or possess a firearm, knife, or deadly weapon of
15 any kind on public school property.

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

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

21 **SECTION 2. AND BE IT FURTHER ENACTED**, That this Act shall take effect
22 October 1, 2014.