

# HOUSE BILL 159

E1, F2, E4  
HB 1002/16 – APP

7lr1184  
CF 7lr1982

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By: **Delegates B. Barnes, D. Barnes, Anderson, Busch, Conaway, Ebersole, Fennell, Frick, Frush, Gilchrist, Hill, Hixson, C. Howard, Jackson, Kelly, Korman, Krimm, Lafferty, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Pena–Melnyk, Platt, Reznik, Robinson, Sanchez, Tarlau, Valderrama, Waldstreicher, A. Washington, M. Washington, and P. Young**

Introduced and read first time: January 19, 2017

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 8, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Weapon–Free Higher Education Zones**

3 FOR the purpose of altering a certain exception relating to law enforcement officers to the  
4 prohibition on carrying certain weapons on public school property; prohibiting the  
5 carrying or possession of certain firearms on the property of public institutions of  
6 higher education; providing for certain exceptions to the prohibition; requiring a  
7 public institution of higher education to post certain signs at certain locations;  
8 requiring the Board of Regents for the University System of Maryland to incorporate  
9 into their bylaws, policies, and procedures, the current weapons practice on their  
10 campuses; and generally relating to the carrying or possession of firearms at public  
11 institutions of higher education.

12 BY repealing and reenacting, with amendments,  
13 Article – Criminal Law  
14 Section 4–102  
15 Annotated Code of Maryland  
16 (2012 Replacement Volume and 2016 Supplement)

17 BY adding to  
18 Article – Education  
19 Section 15–121

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2014 Replacement Volume and 2016 Supplement)

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

5 **Article – Criminal Law**

6 4–102.

7 (a) This section does not apply to:

8 (1) a law enforcement officer in the regular course of the officer’s duty;

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

14 (i) the officer or retired officer is ~~displaying~~ **IN POSSESSION OF** the  
15 officer’s or retired officer’s badge or credential;

16 (ii) the weapon carried or possessed by the officer or retired officer is  
17 concealed; and

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

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

23 (4) a person engaged in organized shooting activity for educational  
24 purposes; [or]

25 (5) a person who, with a written invitation from the school principal **OR**  
26 **THE PRESIDENT OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION**, displays or  
27 engages in a historical demonstration using a weapon or a replica of a weapon for  
28 educational purposes;

29 **(6) A PERSON CARRYING OR POSSESSING A FIREARM ON THE**  
30 **PROPERTY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION WHO IS REQUIRED OR**  
31 **AUTHORIZED BY POLICIES OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION TO**  
32 **POSSESS A FIREARM; OR**

