

SENATE BILL 353

E1

4lr1239

By: **Senators Manno, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Kasemeyer, King, Madaleno, McFadden, Middleton, Montgomery, Muse, Peters, Pugh, Raskin, Robey, and Zirkin**

Introduced and read first time: January 22, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Deadly Weapons on School Property – Public and Private**
3 **Schools**

4 FOR the purpose of prohibiting a person from carrying or possessing a deadly weapon
5 on public or private school property; extending certain exceptions that allow the
6 carrying or possession of a deadly weapon on public school property to private
7 school property; and generally relating to the prohibition against carrying or
8 possessing deadly weapons on public and private school property.

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;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) an off-duty law enforcement officer who is a parent, guardian, or
2 visitor of a student attending a school located on the public **AND PRIVATE** school
3 property, provided that:

4 (i) the officer is displaying the officer's badge or credential; and

5 (ii) the weapon carried or possessed by the officer is concealed;

6 (3) a person hired by:

7 **(I)** a county board of education specifically for the purpose of
8 guarding public school property; **OR**

9 **(II) A PRIVATE SCHOOL SPECIFICALLY FOR THE PURPOSE**
10 **OF GUARDING THE PRIVATE SCHOOL PROPERTY;**

11 (4) a person engaged in organized shooting activity for educational
12 purposes; or

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

16 (b) A person may not carry or possess a firearm, knife, or deadly weapon of
17 any kind on public **OR PRIVATE** school property.

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

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2014.