
By: Delegates Kach and Klima

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Assigned to: Ways and Means

Reassigned: Judiciary, February 4, 1997

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 1997

CHAPTER ____

1 AN ACT concerning

2 **Education - Portable Pagers on School Property**

3 FOR the purpose of altering provisions relating to possession of a portable pager on
4 public school property, ~~requiring by allowing, instead of requiring,~~ a school
5 authority to contact a law enforcement officer when ~~a student~~ an individual is found
6 in possession of a portable pager on public school property ~~only for a second or~~
7 ~~subsequent time; and generally relating to possession of portable pagers on public~~
8 school property.

9 BY repealing and reenacting, with amendments,
10 Article - Education
11 Section 26-104
12 Annotated Code of Maryland
13 (1997 Replacement Volume)

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

16 **Article - Education**

17 26-104.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) "Portable pager" means any device carried, worn, or transported by an
20 individual to receive or communicate messages.

21 (3) "Public school property" means the grounds of any public school.

2

1 (b) Except as provided in subsection (c) of this section, an individual may not
2 possess a portable pager on public school property.

3 (c) This section does not apply to:

4 (1) Handicapped students using portable pagers for medical reasons;

5 (2) Law enforcement officers;

6 (3) Visitors on public school property for an authorized program, meeting,
7 or function;

8 (4) Faculty or staff members employed by a county board; and

9 (5) Members of any volunteer fire department, ambulance company, or
10 rescue squad, who are designated to possess a portable pager on public school property by
11 the chief of the volunteer fire department, ambulance company, or rescue squad, and the
12 school principal.

13 (d) If an individual violates subsection (b) of this section, the school authorities:

14 ~~(1) ON A FIRST OFFENSE, MAY CONTACT A LAW ENFORCEMENT~~
15 ~~OFFICER; AND~~

16 ~~(2) ON A SECOND OR SUBSEQUENT OFFENSE, shall immediately~~ MAY
17 contact a law enforcement officer.

18 (e) A law enforcement officer contacted by school authorities in accordance with
19 subsection (d) of this section:

20 (1) Shall immediately inquire as to the reasons the individual possesses the
21 pager; and

22 (2) May arrest the violator.

23 (f) Any person who violates subsection (b) of this section is guilty of a
24 misdemeanor and on conviction is subject to a fine not exceeding \$2,500, imprisonment
25 not exceeding 6 months, or both.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 1997.