

SENATE BILL 653

E4, E1, L2

6lr2489

By: **Senators Norman and Astle**

Introduced and read first time: February 5, 2016

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Knife Restrictions – State Preemption**

3 FOR the purpose of establishing that the State preempts the right of a county, municipal
4 corporation, or special taxing district to regulate knives in a certain manner;
5 authorizing a county, municipal corporation, or special taxing district to enact a local
6 law or ordinance to regulate knives under certain circumstances; establishing that a
7 certain local law may not be enforced; defining a certain term; and generally relating
8 to the regulation of knives.

9 BY adding to

10 Article – Criminal Law

11 Section 4–111

12 Annotated Code of Maryland

13 (2012 Replacement Volume and 2015 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Criminal Law**

17 **4–111.**

18 **(A) IN THIS SECTION, “KNIFE” MEANS A CUTTING INSTRUMENT THAT**
19 **INCLUDES A SHARPENED OR POINTED BLADE.**

20 **(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE STATE**
21 **PREEMPTS THE RIGHT OF A COUNTY, MUNICIPAL CORPORATION, OR SPECIAL**
22 **TAXING DISTRICT TO REGULATE THE PURCHASE, SALE, TAXATION, TRANSFER,**
23 **MANUFACTURE, REPAIR, POSSESSION, AND TRANSPORTATION OF A KNIFE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) IF AUTHORIZED BY A PROVISION OF LAW, A COUNTY, MUNICIPAL**
2 **CORPORATION, OR SPECIAL TAXING DISTRICT MAY ENACT A LAW OR AN ORDINANCE**
3 **REGULATING KNIVES IF THE LAW OR ORDINANCE:**

4 **(1) IS NOT MORE RESTRICTIVE THAN STATE LAW; AND**

5 **(2) DOES NOT HAVE A CRIMINAL PENALTY THAT IS GREATER THAN**
6 **THE STATE PENALTY FOR A SIMILAR OFFENSE.**

7 **(D) A LOCAL LAW REGULATING KNIVES THAT EXISTED BEFORE OCTOBER 1,**
8 **2016, MAY NOT BE ENFORCED.**

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