
By: Delegates Kach and Klima

Introduced and read first time: January 31, 1997

Assigned to: Ways and Means

A BILL ENTITLED

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 a school authority to contact a law enforcement
5 officer when a student is found in possession of a portable pager on public school
6 property only for a second or subsequent time.

7 BY repealing and reenacting, with amendments,

8 Article - Education

9 Section 26-104

10 Annotated Code of Maryland

11 (1997 Replacement Volume)

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

14 **Article - Education**

15 26-104.

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

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

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

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

22 (c) This section does not apply to:

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

24 (2) Law enforcement officers;

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

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

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

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

6 (1) ON A FIRST OFFENSE, MAY CONTACT A LAW ENFORCEMENT
7 OFFICER; AND

8 (2) ON A SECOND OR SUBSEQUENT OFFENSE, shall immediately contact a
9 law enforcement officer.

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

12 (1) Shall immediately inquire as to the reasons the individual possesses the
13 pager; and

14 (2) May arrest the violator.

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

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