

HOUSE BILL 26

Unofficial Copy
E1

2001 Regular Session
11r0262

(PRE-FILED)

By: **Delegates Leopold and Owings**

Requested: June 26, 2000

Introduced and read first time: January 10, 2001

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Bulletproof Body Armor - Drug Trafficking Crimes**

3 FOR the purpose of prohibiting a person from wearing bulletproof body armor when
4 involved in certain drug trafficking crimes under certain circumstances;
5 defining a certain term; making stylistic changes; and generally relating to
6 bulletproof body armor.

7 BY repealing and reenacting, with amendments,
8 Article 27 - Crimes and Punishments
9 Section 27A
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 2000 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article 27 - Crimes and Punishments
14 Section 281A(a)(2)
15 Annotated Code of Maryland
16 (1996 Replacement Volume and 2000 Supplement)

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

19 **Article 27 - Crimes and Punishments**

20 27A.

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

22 (2) "Ammunition" means any cartridge, shell, or other device containing
23 explosive or incendiary material designed and intended for use in a firearm.

24 (3) "Bulletproof body armor" means any material or object that is
25 designed to cover or be worn on any part of the body to prevent, deflect, or slow down
26 the penetration of ammunition.

1 (4) "Crime of violence" has the meaning stated in § 643B(a) of this
2 article.

3 (5) "DRUG TRAFFICKING CRIME" HAS THE MEANING STATED IN § 281A
4 OF THIS ARTICLE.

5 [(5)] (6) "Firearm" includes:

6 (i) A handgun, antique firearm, rifle, shotgun, short-barreled
7 shotgun, or short-barreled rifle, as defined in § 36F of this article;

8 (ii) A machine gun, as defined in § 372 of this article;

9 (iii) A regulated firearm as defined in § 441 of this article; and

10 (iv) An assault pistol, as defined in § 36H-1 of this article.

11 (b) (1) [Any person who wears] A PERSON MAY NOT WEAR bulletproof body
12 armor in the commission of a crime of violence.

13 (2) DURING AND IN RELATION TO A DRUG TRAFFICKING CRIME, A
14 PERSON MAY NOT WEAR BULLETPROOF BODY ARMOR.

15 (C) A PERSON WHO VIOLATES THIS SECTION is guilty of a separate
16 misdemeanor and on conviction, in addition to any other sentence imposed by virtue
17 of commission of the crime of violence OR DRUG TRAFFICKING CRIME, is subject to a
18 fine of not more than \$5,000 or imprisonment for not more than 5 years or both.

19 281A.

20 (a) (2) "Drug trafficking crime" means:

21 (i) Any felony involving the possession, distribution, manufacture,
22 or importation of a controlled dangerous substance under §§ 286 and 286A of this
23 article; or

24 (ii) Conspiracy to commit any felony involving possession,
25 distribution, manufacture, or importation of a controlled dangerous substance under
26 § 286 or § 286A of this article.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2001.