

(PRE-FILED)

By: **Delegate Dembrow**

Requested: September 14, 2000

Introduced and read first time: January 10, 2001

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law - Prohibition Against Possession of Portable Pagers on School**
3 **Property - Repeal**

4 FOR the purpose of repealing a prohibition against the possession of portable pagers
5 on public school property.

6 BY repealing
7 Article - Education
8 Section 26-104
9 Annotated Code of Maryland
10 (1999 Replacement Volume and 2000 Supplement)

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

13 **Article - Education**

14 [26-104.

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

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

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

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

21 (c) This section does not apply to:

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

23 (2) Law enforcement officers;

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

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

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

8 (6) Students whose portable pagers are contained in vehicles that are on
9 public school property and are not found to be connected with criminal activity.

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

12 (1) On a first offense, may contact a law enforcement officer; and

13 (2) On a second or subsequent offense, shall immediately contact a law
14 enforcement officer.

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

17 (1) Shall immediately inquire as to the reasons the individual possesses
18 the pager; and

19 (2) May arrest the violator.

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

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