

SENATE BILL 282

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2001 Regular Session
1r1752
CF HB 26

By: **Senators Mooney, Colburn, Ferguson, Forehand, Green, Hafer, Haines,
Harris, Jacobs, Madden, Mitchell, Munson, Sfikas, and Stoltzfus**

Introduced and read first time: January 26, 2001

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 23, 2001

CHAPTER _____

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:

Article 27 - Crimes and Punishments

1
2 27A.

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

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

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

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

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

13 [(5)] (6) "Firearm" includes:

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

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

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

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

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

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

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

27 281A.

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

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

1 (ii) Conspiracy to commit any felony involving possession,
2 distribution, manufacture, or importation of a controlled dangerous substance under
3 § 286 or § 286A of this article.

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