

HOUSE BILL 1010

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E3

2002 Regular Session  
2lr2449

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By: **Delegates Finifter, Dewberry, Hurson, Minnick, Morhaim, Murphy,  
Ports, Redmer, and Zirkin ~~Zirkin, Kach, Klausmeier, Mohorovic, Pielke,  
De Carlo, and Hubers~~**

Introduced and read first time: February 8, 2002  
Assigned to: Ways and Means  
Reassigned: Judiciary, February 15, 2002

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Committee Report: Favorable  
House action: Adopted with floor amendments  
Read second time: March 12, 2002

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

4 FOR the purpose of repealing a prohibition against the possession of portable pagers  
5 on public school property in Baltimore County; declaring the intent of the  
6 General Assembly; and generally relating to the possession of portable pagers on  
7 public school property.

8 BY repealing and reenacting, with amendments,  
9 Article - Education  
10 Section 26-104  
11 Annotated Code of Maryland  
12 (2001 Replacement Volume)

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

15 **Article - Education**

16 26-104.

17 (a) [This section applies only in Baltimore County.] This section applies only  
18 in Caroline, Dorchester, Somerset, Talbot, Wicomico, and Worcester counties. This  
19 section applies only in Baltimore City.

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

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

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

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

7 (d) This section does not apply to:

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

9 (2) Law enforcement officers;

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

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

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

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

19 (e) If an individual violates subsection (c) of this section, the school  
20 authorities:

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

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

24 (f) A law enforcement officer contacted by school authorities in accordance  
25 with subsection (e) of this section:

26 (1) Shall immediately inquire as to the reasons the individual possesses  
27 the pager; and

28 (2) May arrest the violator.

29 (g) Any person who violates subsection (c) of this section is guilty of a  
30 misdemeanor and on conviction is subject to a fine not exceeding \$2,500,  
31 imprisonment not exceeding 6 months, or both.

32 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
33 General Assembly that the Baltimore County Board of Education, working with the

1 State Department of Education, develop its own local policies regarding the use of  
2 portable pagers and cellular telephones on public school property during school hours  
3 and, in enacting Section 1 of this Act, it is not the intent of the General Assembly to  
4 encourage the use of portable pagers and cellular telephones on public school property  
5 during school hours.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
7 effect October 1, 2002.