

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 527
Judiciary

(Delegate Miller, *et al.*)

Public Safety - Transporting Sporting Firearms

This bill modifies an exception to the prohibition against wearing, carrying, or transporting of a handgun by specifically allowing reasonable stops along the way to or from certain activities for rest or refreshment.

Fiscal Summary

State Effect: None. Enforcement by State police agencies of the prohibition against wearing, carrying, or transporting of a handgun would not be measurably affected.

Local Effect: None. Enforcement could be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law: With certain exceptions, a person may not: (1) wear, carry, or transport a handgun, whether concealed or open, on or about the person; or (2) wear, carry, or knowingly transport a handgun, whether concealed or open, in a vehicle traveling on a road or parking lot generally used by the public, highway, waterway, or airway of the State. There is a rebuttable presumption that a person who transports a handgun under these provisions transports the handgun knowingly.

A violator is guilty of a misdemeanor and, if not previously convicted under these provisions (or for use of a handgun or antique firearm in the commission of a crime of violence or a felony, for certain dangerous weapons offenses, or for carrying or

possessing a deadly weapon of any kind on school property), subject to imprisonment for not less than 30 days and up to three years and/or a fine of not less than \$250 and up to \$2,500. If the handgun was worn, carried, or transported on public school property, a violator must be sentenced to not less than 90 days.

One of the exceptions (addressed by this bill) involves a handgun used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a Department of Natural Resources-sponsored firearms and hunter safety class, trapping, or a dog obedience training class or show, while the person is engaged in, on the way to, or returning from that activity if each handgun is unloaded and carried in an enclosed case or an enclosed holster.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2005
mll/jr

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