

HOUSE BILL 22

E1, E4

8lr0401

(PRE-FILED)

By: **Delegate Manno**

Requested: May 15, 2007

Introduced and read first time: January 9, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Possession of Firearm While in Possession of Certain Controlled**
3 **Dangerous Substances – Penalties**

4 FOR the purpose of prohibiting a person from knowingly and intentionally possessing,
5 carrying, or transporting a firearm while simultaneously possessing certain
6 controlled dangerous substances; providing penalties for a violation of this Act;
7 providing that a sentence imposed under this Act shall be consecutive to and not
8 concurrent with another sentence imposed for a crime based on the act
9 establishing the violation of this Act; defining a certain term; and generally
10 relating to possession of firearms and controlled dangerous substances.

11 BY adding to
12 Article – Criminal Law
13 Section 5–622.1
14 Annotated Code of Maryland
15 (2002 Volume and 2007 Supplement)

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

18 **Article – Criminal Law**

19 **5–622.1.**

20 (A) **IN THIS SECTION, “FIREARM” INCLUDES:**

21 (1) **A HANDGUN, ANTIQUE FIREARM, RIFLE, SHOTGUN,**
22 **SHORT-BARRELED SHOTGUN, AND SHORT-BARRELED RIFLE, AS DEFINED IN §**
23 **4–201 OF THIS ARTICLE;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) A MACHINE GUN, AS DEFINED IN § 4-401 OF THIS ARTICLE;
2 AND

3 (3) A REGULATED FIREARM, AS DEFINED IN § 5-101 OF THE
4 PUBLIC SAFETY ARTICLE.

5 (B) A PERSON MAY NOT KNOWINGLY AND INTENTIONALLY POSSESS,
6 CARRY, OR TRANSPORT A FIREARM WHILE SIMULTANEOUSLY POSSESSING A
7 SCHEDULE I OR SCHEDULE II DRUG IN VIOLATION OF § 5-601 OF THIS
8 SUBTITLE.

9 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY
10 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS
11 OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

12 (D) A SENTENCE IMPOSED UNDER THIS SECTION SHALL BE
13 CONSECUTIVE TO AND NOT CONCURRENT WITH ANOTHER SENTENCE IMPOSED
14 FOR A CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS
15 SECTION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2008.