

HOUSE BILL 353

E1, F2, E4

9lr1103
CF 9lr1063

By: **Delegates Barnes, Frush, Pena–Melnyk, and Ross**

Introduced and read first time: January 30, 2009

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Institutions of Higher Education – Firearms, Knives, and Deadly**
3 **Weapons – Prohibition**

4 FOR the purpose of prohibiting the carrying or possession of certain firearms, knives,
5 and deadly weapons at public institutions of higher education; providing for
6 certain exceptions to this prohibition; and generally relating to the carrying or
7 possession of firearms, knives, and deadly weapons at public institutions of
8 higher education.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 4–102
12 Annotated Code of Maryland
13 (2002 Volume and 2008 Supplement)

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

16 **Article – Criminal Law**

17 4–102.

18 (a) This section does not apply to:

19 (1) a law enforcement officer in the regular course of the officer’s duty;

20 (2) a person hired by a county board of education **OR A PUBLIC**
21 **INSTITUTION OF HIGHER EDUCATION** specifically for the purpose of guarding public
22 school **OR THE INSTITUTION’S** property;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) a person engaged in organized shooting activity for educational
2 purposes; or

3 (4) a person who, with a written invitation from the school principal
4 **OR THE PRESIDENT OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION,**
5 displays or engages in a historical demonstration using a weapon or a replica of a
6 weapon for educational purposes.

7 (b) A person may not carry or possess a firearm, knife, or deadly weapon of
8 any kind on public school property **OR ON THE PROPERTY OF A PUBLIC**
9 **INSTITUTION OF HIGHER EDUCATION.**

10 (c) (1) Except as provided in paragraph (2) of this subsection, a person
11 who violates this section is guilty of a misdemeanor and on conviction is subject to
12 imprisonment not exceeding 3 years or a fine not exceeding \$1,000 or both.

13 (2) A person who is convicted of carrying or possessing a handgun in
14 violation of this section shall be sentenced under Subtitle 2 of this title.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2009.