HOUSE BILL 1342

E1, E4, L2

By: Delegate McDonough

Introduced and read first time: February 19, 2009 Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

Anne Arundel County and Baltimore County - Regulation of Electronic Weapons for Self-Defense

- FOR the purpose of establishing that Anne Arundel County and Baltimore County
 may not prohibit an adult from using, possessing, or discharging certain
 electronic weapons for the purpose of self-defense; defining a certain term; and
 generally relating to electronic weapons.
- 8 BY repealing and reenacting, with amendments,
- 9 Article Criminal Law
- 10 Section 4–209
- 11 Annotated Code of Maryland
- 12 (2002 Volume and 2008 Supplement)

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

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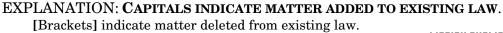
Article - Criminal Law

16 4-209.

17 (a) Except as otherwise provided in this section, the State preempts the right
18 of a county, municipal corporation, or special taxing district to regulate the purchase,
19 sale, taxation, transfer, manufacture, repair, ownership, possession, and
20 transportation of:

- 21
- (1) a handgun, rifle, or shotgun; and
- 22

(2) ammunition for and components of a handgun, rifle, or shotgun.





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1 A county, municipal corporation, or special taxing district may (b) (1) $\mathbf{2}$ regulate the purchase, sale, transfer, ownership, possession, and transportation of the items listed in subsection (a) of this section: 3 4 (i) with respect to minors; 5 (ii) with respect to law enforcement officials of the subdivision; and 6 7 (iii) except as provided in paragraph (2) of this subsection, 8 within 100 yards of or in a park, church, school, public building, and other place of 9 public assembly. 10 (2)A county, municipal corporation, or special taxing district may not prohibit the teaching of or training in firearms safety, or other educational or sporting 11 use of the items listed in subsection (a) of this section. 1213 (c) To the extent that a local law does not create an inconsistency with this section or expand existing regulatory control, a county, municipal corporation, or 1415special taxing district may exercise its existing authority to amend any local law that 16 existed on or before December 31, 1984. 17 (**d**) Except as provided in paragraph (2) of this subsection, in (1)18 accordance with law, a county, municipal corporation, or special taxing district may regulate the discharge of handguns, rifles, and shotguns. 19 20 (2)A county, municipal corporation, or special taxing district may not 21prohibit the discharge of firearms at established ranges. 22**(E)** (1) **(I)** IN THIS SUBSECTION THE FOLLOWING WORDS HAVE 23THE MEANINGS INDICATED. 24"ELECTRONIC WEAPON" MEANS A PORTABLE DEVICE **(II)** 25DESIGNED AS A WEAPON CAPABLE OF INJURING OR IMMOBILIZING AN 26INDIVIDUAL BY THE DISCHARGE OF ELECTRICAL CURRENT. 27(III) "ELECTRONIC WEAPON" INCLUDES A STUN GUN AND A 28TASER. 29(2) ANNE ARUNDEL COUNTY AND BALTIMORE COUNTY MAY NOT 30 PROHIBIT AN ADULT FROM USING, POSSESSING, OR DISCHARGING AN 31ELECTRONIC WEAPON FOR THE PURPOSE OF SELF-DEFENSE. 32SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 33 October 1, 2009.