

HOUSE BILL 1464

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3lr2999
CF SB 932

By: **Delegate DeBoy**

Introduced and read first time: February 22, 2013

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Deadly Weapons on the Property of an Institution of Higher**
3 **Education**

4 FOR the purpose of prohibiting a person from carrying a deadly weapon on the
5 property of an institution of higher education; providing certain exceptions to
6 the prohibition; establishing a certain penalty for a violation of this Act;
7 establishing that a person convicted of violating this Act in a certain manner
8 shall be sentenced under certain provisions of law; defining a certain term; and
9 generally relating to prohibiting deadly weapons on the property of an
10 institution of higher education.

11 BY adding to

12 Article – Criminal Law

13 Section 4–102.1

14 Annotated Code of Maryland

15 (2012 Replacement Volume and 2012 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 **4–102.1.**

20 (A) IN THIS SECTION, “INSTITUTION OF HIGHER EDUCATION” HAS THE
21 MEANING STATED IN § 10–101 OF THE EDUCATION ARTICLE.

22 (B) THIS SECTION DOES NOT APPLY TO:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) A LAW ENFORCEMENT OFFICER IN THE REGULAR COURSE OF**
2 **THE OFFICER’S DUTY;**

3 **(2) A PERSON HIRED BY THE INSTITUTION OF HIGHER**
4 **EDUCATION SPECIFICALLY FOR THE PURPOSE OF GUARDING THE PROPERTY OF**
5 **THE INSTITUTION OF HIGHER EDUCATION;**

6 **(3) A PERSON WHO IS CONDUCTING BUSINESS OR ATTENDING A**
7 **CLASS, WORKSHOP, SEMINAR, OR OTHER EVENT AT THE INSTITUTION OF**
8 **HIGHER EDUCATION IF THE PERSON:**

9 **(I) 1. IS AN OFF-DUTY LAW ENFORCEMENT OFFICER; OR**
10 **2. IS A RETIRED LAW ENFORCEMENT OFFICER WHO**
11 **HOLDS A PERMIT UNDER § 5-306 OF THE PUBLIC SAFETY ARTICLE AND IS**
12 **CERTIFIED TO CARRY A CONCEALED FIREARM UNDER THE LAW ENFORCEMENT**
13 **OFFICERS SAFETY ACT, 18 U.S.C. 926B; AND**

14 **(II) CONCEALS THE WEAPON IN A MANNER TO PREVENT IT**
15 **FROM BEING SEEN;**

16 **(4) A PERSON ENGAGED IN ORGANIZED SHOOTING ACTIVITY FOR**
17 **EDUCATIONAL PURPOSES;**

18 **(5) A MEMBER OF THE INSTITUTION OF HIGHER EDUCATION’S**
19 **PISTOL OR RIFLE TEAM, SKEET CLUB, OR ROTC WHO HAS THE WRITTEN**
20 **CONSENT OF THE PRESIDENT OR SECURITY DIRECTOR OF THE INSTITUTION OF**
21 **HIGHER EDUCATION TO USE THE WEAPON IN THE COURSE OF THE MEMBER’S**
22 **TEAM OR CLUB ACTIVITIES;**

23 **(6) A PERSON WHO HAS THE WRITTEN CONSENT OF THE**
24 **PRESIDENT OR SECURITY DIRECTOR OF THE INSTITUTION OF HIGHER**
25 **EDUCATION TO DISPLAY OR ENGAGE IN A HISTORICAL DEMONSTRATION USING**
26 **A WEAPON OR A REPLICA OF A WEAPON FOR EDUCATIONAL PURPOSES; OR**

27 **(7) AN ARMORED CAR GUARD ENGAGED IN THE REGULAR COURSE**
28 **OF THE GUARD’S DUTY.**

29 **(C) A PERSON MAY NOT CARRY OR POSSESS A FIREARM, KNIFE, OR**
30 **DEADLY WEAPON OF ANY KIND ON THE PROPERTY OF AN INSTITUTION OF**
31 **HIGHER EDUCATION.**

1 **(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
2 **SUBSECTION, A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A**
3 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
4 **EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

5 **(2) A PERSON WHO IS CONVICTED OF CARRYING OR POSSESSING**
6 **A HANDGUN IN VIOLATION OF THIS SECTION SHALL BE SENTENCED UNDER**
7 **SUBTITLE 2 OF THIS TITLE.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2013.