

Department of Legislative Services
Maryland General Assembly
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FISCAL AND POLICY NOTE
First Reader

Senate Bill 721 (Senator Eckardt)
Education, Health, and Environmental Affairs

Public Institutions of Higher Education - Events Held by Conservation Organizations

This bill authorizes a conservation organization, as specified, to hold an event on the campus of a public institution of higher education regardless of whether members of the organization carry or possess firearms during the event.

Fiscal Summary

State Effect: None. Public four-year institutions of higher education and the Baltimore City Community College (BCCC) can allow a conservation organization to hold an event on the campus regardless of whether members of the organization carry or possess firearms during the event using existing resources.

Local Effect: None. Local community colleges can allow a conservation organization to hold an event on the campus regardless of whether members of the organization carry or possess firearms during the event using existing resources.

Small Business Effect: None.

Analysis

Bill Summary: The bill defines “conservation organization” as a qualified organization under § 170(h)(3) of the Internal Revenue Code and regulations adopted under that section of the Internal Revenue Code.

Current Law: Statute does not address the possession of firearms on the campuses of public institutions of higher education. Each institution sets its own policies regarding the possession of firearms on campus.

In general, institutions of the University System of Maryland (USM) prohibit weapons, including firearms, on campus. Some institutions do not have a published policy addressing the possession of firearms. At Frostburg State University, possession of firearms or potentially dangerous weapons or explosives is not permitted on university property unless they have been properly registered and secured with Frostburg State University Police.

According to the resident life policies of Morgan State University (MSU) and St. Mary's College of Maryland (SMCM), firearms are prohibited on campus.

According to BCCC policy, firearms or weapons are not permitted on the premises except for authorized academic or employment purposes. BCCC advises that written consent of the Baltimore City Community College President is required to possess firearms on campus. BCCC advises that it does not discriminate against any person or organization.

Background: Habitat conservation is an important element to many hunting organizations as game animals require suitable habitat. These type of organizations train new hunters, run competitive events such as shooting matches, and educate people about local wildlife issues.

State Fiscal Effect: This analysis assumes that “conservation organization” means a qualified organization under § 501(c)(3) of the Internal Revenue Code and regulations adopted under § 501(c)(3) whose mission is habitat conservation. Public four-year institutions of higher education and BCCC can authorize a conservation organization to hold an event on the campus regardless of whether members of the organization carry or possess firearms during the event using existing resources. USM, MSU, SMCM, and BCCC advise that the bill has no fiscal impact.

The Department of State Police advises that institutions of higher education would be advised to involve their public safety units to ensure that the scope of the event was followed and to educate students that the events were occurring. USM, MSU, SMCM, and BCCC can inform their public safety units and students about events using existing resources.

The Natural Resources Police (NRP) advises that, although it teaches hunter safety education programs at two community colleges, these programs are not impacted because the bill does not apply to government entities, only nonprofit organizations. NRP has

arrangements with the two community colleges to provide alternative locations for firearms demonstrations and firing.

Additional Comments: Defining “conservation organization” as a qualified organization under § 170(h)(3) of the Internal Revenue Code and regulations adopted under that section of the Internal Revenue Code is unclear. The reference does not specify that the organization must have a mission of habitat conservation. Defining a “conservation organization” as a qualified organization under § 501(c)(3) of the Internal Revenue Code and regulations adopted under § 501(c)(3) whose mission is habitat conservation clarifies which organizations qualify under the bill.

Additional Information

Prior Introductions: None.

Cross File: Although designated as a cross file, HB 1491 (Delegate Mautz, *et al.* – Appropriations) is not identical.

Information Source(s): Maryland Higher Education Commission; Baltimore City Community College; University System of Maryland; Morgan State University; St. Mary’s College of Maryland; Department of Natural Resources; Department of State Police; Department of Legislative Services

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