

# SENATE BILL 118

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3lr0470

(PRE-FILED)

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By: **Senators Lee and Waldstreicher**

Requested: September 28, 2022

Introduced and read first time: January 11, 2023

Assigned to: Judicial Proceedings

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A BILL ENTITLED

AN ACT concerning

## **Criminal Law – Prohibitions on Wearing, Carrying, or Transporting Firearms**

FOR the purpose of prohibiting a person from wearing, carrying, or transporting a firearm on private property unless the owner of the property has given certain permission or posted a certain sign; prohibiting a person from wearing, carrying, or transporting a firearm in or on property controlled by the federal government, the State government, or a local government; and generally relating to prohibitions on the wearing, carrying, or transporting of firearms.

BY adding to

Article – Criminal Law

Section 4-111

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)

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

### **Article – Criminal Law**

#### **4-111.**

**(A) IN THIS SECTION, “FIREARM” HAS THE MEANING STATED IN § 5-101 OF THE PUBLIC SAFETY ARTICLE.**

**(B) THIS SECTION DOES NOT APPLY TO:**

**(1) A LAW ENFORCEMENT OFFICIAL OF THE UNITED STATES, THE STATE, OR A LOCAL UNIT IN THE STATE;**

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.



(2) A PERSON WHO HAS RETIRED AS A LAW ENFORCEMENT OFFICER IN GOOD STANDING FROM A LAW ENFORCEMENT AGENCY OF THE UNITED STATES, THE STATE, OR A LOCAL UNIT IN THE STATE;

(3) A MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR OF THE NATIONAL GUARD ON DUTY OR TRAVELING TO OR FROM DUTY;

(4) A SECURITY GUARD, QUALIFIED IN ACCORDANCE WITH TITLE 19 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE, IN THE REGULAR COURSE OF THE SECURITY GUARD'S DUTY; OR

(5) A CORRECTIONAL OFFICER OR WARDEN OF A CORRECTIONAL FACILITY IN THE STATE IN THE REGULAR COURSE OF THE OFFICER'S OR WARDEN'S DUTIES.

(C) A PERSON MAY NOT KNOWINGLY WEAR, CARRY, OR TRANSPORT A FIREARM ON PRIVATE PROPERTY OWNED BY ANOTHER UNLESS:

(1) THE OWNER OF THE PROPERTY HAS GIVEN THE PERSON EXPRESS PERMISSION TO WEAR, CARRY, OR TRANSPORT THE FIREARM ON THE PROPERTY; OR

(2) THE OWNER OF THE PROPERTY HAS POSTED A CLEAR AND CONSPICUOUS SIGN INDICATING THAT IT IS PERMISSIBLE TO WEAR, CARRY, OR TRANSPORT A FIREARM ON THE PROPERTY.

(D) A PERSON MAY NOT KNOWINGLY WEAR, CARRY, OR TRANSPORT A FIREARM IN OR ON PROPERTY CONTROLLED BY THE FEDERAL GOVERNMENT, THE STATE GOVERNMENT, OR A LOCAL GOVERNMENT.

(E) THERE IS A REBUTTABLE PRESUMPTION THAT A PERSON WHO VIOLATES THIS SECTION WEARS, CARRIES, OR TRANSPORTS THE FIREARM KNOWINGLY.

(F) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.