

SENATE BILL 118

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3lr0470

(PRE-FILED)

By: **Senators Lee and Waldstreicher**

Requested: September 28, 2022

Introduced and read first time: January 11, 2023

Assigned to: Judicial Proceedings

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;

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.