

HOUSE BILL 904

E1, F2, E4
HB 159/17 – APP

8lr0549

By: **Delegates B. Barnes, D. Barnes, Ebersole, Fennell, Frick, Frush, Gilchrist, Jackson, Korman, Lafferty, McIntosh, Moon, Pena–Melnyk, Robinson, Sanchez, Tarlau, Valderrama, and A. Washington**

Introduced and read first time: February 5, 2018

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Weapon–Free Higher Education Zones**

3 FOR the purpose of altering a certain exception relating to law enforcement officers to the
4 prohibition on carrying certain weapons on public school property; prohibiting the
5 carrying or possession of certain firearms on the property of public institutions of
6 higher education; providing for certain exceptions to the prohibition; requiring a
7 public institution of higher education to post certain signs at certain locations;
8 requiring the Board of Regents for the University System of Maryland to incorporate
9 into its bylaws, policies, and procedures the current weapons practice on the
10 System’s campuses; and generally relating to the carrying or possession of firearms
11 at public institutions of higher education.

12 BY repealing and reenacting, with amendments,
13 Article – Criminal Law
14 Section 4–102
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2017 Supplement)

17 BY adding to
18 Article – Education
19 Section 15–123
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2017 Supplement)

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

24 **Article – Criminal Law**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4-102.

2 (a) This section does not apply to:

3 (1) a law enforcement officer in the regular course of the officer's duty;

4 (2) an off-duty law enforcement officer or a person who has retired as a law
5 enforcement officer in good standing from a law enforcement agency of the United States,
6 the State, or a local unit in the State [who is a parent, guardian, or visitor of a student
7 attending a school located on the public school property], provided that:

8 (i) the officer or retired officer is [displaying] **IN POSSESSION OF**
9 the officer's or retired officer's badge or credential;

10 (ii) the weapon carried or possessed by the officer or retired officer is
11 concealed; and

12 (iii) the officer or retired officer is authorized to carry a concealed
13 handgun in the State;

14 (3) a person hired by a county board of education **OR A PUBLIC**
15 **INSTITUTION OF HIGHER EDUCATION** specifically for the purpose of guarding public
16 school **OR INSTITUTION** property;

17 (4) a person engaged in organized shooting activity for educational
18 purposes; [or]

19 (5) a person who, with a written invitation from the school principal **OR**
20 **THE PRESIDENT OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION**, displays or
21 engages in a historical demonstration using a weapon or a replica of a weapon for
22 educational purposes;

23 **(6) A PERSON CARRYING OR POSSESSING A FIREARM ON THE**
24 **PROPERTY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION WHO IS REQUIRED OR**
25 **AUTHORIZED BY POLICIES OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION TO**
26 **POSSESS A FIREARM; OR**

27 **(7) PROPERTY USED BY A PUBLIC INSTITUTION OF HIGHER**
28 **EDUCATION THAT IS OWNED BY AN INDIVIDUAL OR A PRIVATE ENTITY, UNLESS THE**
29 **PROPERTY IS USED FOR STUDENT HOUSING.**

30 (b) **(1)** A person may not carry or possess a firearm, knife, or deadly weapon of
31 any kind on public school property.

