

SENATE BILL 889

E1

3lr2979
CF HB 481

By: **Senator McCray**

Introduced and read first time: February 13, 2023

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Wearing, Carrying, or Transporting a Handgun – Penalty**

3 FOR the purpose of increasing the maximum penalty of imprisonment for wearing,
4 carrying, or transporting a handgun; and generally relating to wearing, carrying, or
5 transporting a handgun.

6 BY repealing and reenacting, without amendments,
7 Article – Criminal Law
8 Section 4–203(a) and (c)(1)
9 Annotated Code of Maryland
10 (2021 Replacement Volume and 2022 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Criminal Law
13 Section 4–203(c)(2)
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2022 Supplement)

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

18 **Article – Criminal Law**

19 4–203.

20 (a) (1) Except as provided in subsection (b) of this section, a person may not:

21 (i) wear, carry, or transport a handgun, whether concealed or open,
22 on or about the person;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) wear, carry, or knowingly transport a handgun, whether
2 concealed or open, in a vehicle traveling on a road or parking lot generally used by the
3 public, highway, waterway, or airway of the State;

4 (iii) violate item (i) or (ii) of this paragraph while on public school
5 property in the State;

6 (iv) violate item (i) or (ii) of this paragraph with the deliberate
7 purpose of injuring or killing another person; or

8 (v) violate item (i) or (ii) of this paragraph with a handgun loaded
9 with ammunition.

10 (2) There is a rebuttable presumption that a person who transports a
11 handgun under paragraph (1)(ii) of this subsection transports the handgun knowingly.

12 (c) (1) A person who violates this section is guilty of a misdemeanor and on
13 conviction is subject to the penalties provided in this subsection.

14 (2) If the person has not previously been convicted under this section, §
15 4–204 of this subtitle, or § 4–101 or § 4–102 of this title:

16 (i) except as provided in item (ii) of this paragraph, the person is
17 subject to imprisonment for not less than 30 days and not exceeding [3] 5 years or a fine of
18 not less than \$250 and not exceeding \$2,500 or both; or

19 (ii) if the person violates subsection (a)(1)(iii) of this section, the
20 person shall be sentenced to imprisonment for not less than 90 days.

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