

# HOUSE BILL 1032

E4  
HB 919/14 – JUD

5lr2439

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By: **Delegates Jackson, Cluster, and Folden**  
Introduced and read first time: February 13, 2015  
Assigned to: Judiciary

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 18, 2015

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Safety – Transport of Weapons on School Property – Retired Law**  
3 **Enforcement Officers**

4 FOR the purpose of providing that a certain prohibition on carrying or possessing a certain  
5 weapon on public school property does not include a certain retired law enforcement  
6 officer who is a parent, guardian, or visitor of a student attending a school located  
7 on the public school property under certain circumstances; and generally relating to  
8 retired law enforcement officers.

9 BY repealing and reenacting, with amendments,  
10 Article – Criminal Law  
11 Section 4–102  
12 Annotated Code of Maryland  
13 (2012 Replacement Volume and 2014 Supplement)

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

16 **Article – Criminal Law**

17 4–102.

18 (a) This section does not apply to:

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1           (2)     an off-duty law enforcement officer **OR A PERSON WHO HAS RETIRED**  
2 **AS A LAW ENFORCEMENT OFFICER IN GOOD STANDING FROM A LAW ENFORCEMENT**  
3 **AGENCY OF THE UNITED STATES, THE STATE, OR A LOCAL UNIT IN THE STATE** who  
4 is a parent, guardian, or visitor of a student attending a school located on the public school  
5 property, provided that:

6           (i)     the officer **OR RETIRED OFFICER** is displaying the officer's **OR**  
7 **RETIRED OFFICER'S** badge or credential; ~~and~~

8           (ii)    the weapon carried or possessed by the officer **OR RETIRED**  
9 **OFFICER** is concealed; **AND**

10                         **(III) THE OFFICER OR RETIRED OFFICER IS AUTHORIZED TO**  
11 **CARRY A CONCEALED HANDGUN IN THE STATE;**

12           (3)     a person hired by a county board of education specifically for the  
13 purpose of guarding public school property;

14           (4)     a person engaged in organized shooting activity for educational  
15 purposes; or

16           (5)     a person who, with a written invitation from the school principal,  
17 displays or engages in a historical demonstration using a weapon or a replica of a weapon  
18 for educational purposes.

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

21           (c)     (1)     Except as provided in paragraph (2) of this subsection, a person who  
22 violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment  
23 not exceeding 3 years or a fine not exceeding \$1,000 or both.

24                         (2)     A person who is convicted of carrying or possessing a handgun in  
25 violation of this section shall be sentenced under Subtitle 2 of this title.

26           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2015.