

HOUSE BILL 1032

E4
HB 919/14 – JUD

5lr2439

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

A BILL ENTITLED

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; and generally relating to retired law enforcement
8 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;

20 (2) an off-duty law enforcement officer **OR A PERSON WHO HAS RETIRED**
21 **AS A LAW ENFORCEMENT OFFICER IN GOOD STANDING FROM A LAW ENFORCEMENT**
22 **AGENCY OF THE UNITED STATES, THE STATE, OR A LOCAL UNIT IN THE STATE** who

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 is a parent, guardian, or visitor of a student attending a school located on the public school
2 property, provided that:

3 (i) the officer **OR RETIRED OFFICER** is displaying the officer's **OR**
4 **RETIRED OFFICER'S** badge or credential; and

5 (ii) the weapon carried or possessed by the officer **OR RETIRED**
6 **OFFICER** is concealed;

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

9 (4) a person engaged in organized shooting activity for educational
10 purposes; or

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

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

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

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

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