

HOUSE BILL 1002

E1, F2, E4
SB 311/11 – JPR

6lr1485
CF SB 906

By: **Delegates B. Barnes, Anderson, Atterbeary, Brooks, Busch, Clippinger, Cullison, Davis, Ebersole, Fennell, Frush, Gutierrez, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jameson, Jones, Kaiser, Korman, Krimm, Lafferty, Lam, Lierman, Luedtke, A. Miller, Moon, Morhaim, Platt, B. Robinson, Sanchez, Smith, Stein, Valderrama, and Waldstreicher**

Introduced and read first time: February 10, 2016

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 11, 2016

CHAPTER _____

1 AN ACT concerning

2 **Weapon-Free Higher Education Zones**

3 FOR the purpose of prohibiting the carrying or possession of certain ~~firearms, knives, or~~
4 ~~deadly weapons~~ firearms on the property of public institutions of higher education;
5 providing for certain exceptions to the prohibition; requiring a public institution of
6 higher education to post certain signs at certain locations; and generally relating to
7 the carrying or possession of firearms, ~~knives, and deadly weapons~~ at public
8 institutions of higher education.

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 2015 Supplement)

14 BY adding to
15 Article – Education
16 Section 15–119
17 Annotated Code of Maryland
18 (2014 Replacement Volume and 2015 Supplement)

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

3 **Article – Criminal Law**

4 4–102.

5 (a) This section does not apply to:

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

7 (2) an off-duty law enforcement officer or a person who has retired as a law
8 enforcement officer in good standing from a law enforcement agency of the United States,
9 the State, or a local unit in the State who is a parent, guardian, or visitor of a student
10 attending a school located on the public school property **OR ON THE PROPERTY OF A**
11 **PUBLIC INSTITUTION OF HIGHER EDUCATION**, provided that:

12 (i) the officer or retired officer is displaying the officer's or retired
13 officer's badge or credential;

14 (ii) the weapon carried or possessed by the officer or retired officer is
15 concealed; and

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

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

21 (4) a person engaged in organized shooting activity for educational
22 purposes; ~~or~~

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

27 **(6) A PERSON CARRYING OR POSSESSING A FIREARM ON THE**
28 **PROPERTY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION WHO IS REQUIRED OR**
29 **AUTHORIZED BY POLICIES OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION TO**
30 **POSSESS A FIREARM; OR**

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

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

(2) A PERSON MAY NOT CARRY OR POSSESS A FIREARM ON THE PROPERTY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION.

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

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

Article – Education

15-119.

A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL POST SIGNS IN PROMINENT LOCATIONS ON THE PROPERTY OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION, INCLUDING AT ENTRANCES TO AND EXITS FROM TO THE PROPERTY, DESIGNED TO PROVIDE NOTICE OF THE PROVISIONS OF § 4-102(B)(2) OF THE CRIMINAL LAW ARTICLE PROHIBITING THE POSSESSION OF FIREARMS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.