

SB0001/833728/1

BY: Judiciary Committee

AMENDMENTS TO SENATE BILL 1
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “firearm” insert “in certain locations; prohibiting a person from wearing, carrying, or transporting a firearm onto certain property unless the owner or the owner’s agent has given certain permission; altering certain provisions of law relating to the authority of the Secretary of State Police to limit the wearing, carrying, or transporting of a handgun at certain times and locations;”; strike beginning with “onto” in line 5 down through “firearm;” in line 11; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4–203(b)

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)”.

On page 2, strike in their entirety lines 4 through 13, inclusive; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–307

Annotated Code of Maryland

(2022 Replacement Volume)”.

AMENDMENT NO. 2

On page 4, in line 18, after “FACILITY” insert “OR THE GROUNDS OF THE FACILITY”; in line 19, after “SCHOOL” insert “OR THE GROUNDS OF THE SCHOOL”; in the same line, after the semicolon insert “OR”; strike beginning with “A” in line 20 down through “(IV)” in line 22; in line 22, strike “§ 15–10B–01” and substitute “§ 15–

10B-01(G)(1), (2), (3), AND (4)"; and strike beginning with the semicolon in line 23 down through "YOUTH" in line 25.

On page 5, in line 1, after "BUILDING" insert "OR ANY PART OF A BUILDING"; in line 8, strike "OR"; and in line 10, after "ARTICLE" insert ";

(V) A GAS PLANT, AS DEFINED IN § 1-101 OF THE PUBLIC UTILITIES ARTICLE; OR

(VI) A NUCLEAR POWER PLANT FACILITY.

(5) "LAW ENFORCEMENT OFFICIAL" HAS THE MEANING STATED IN § 4-201 OF THIS ARTICLE.

(6) "POLICE OFFICER" HAS THE MEANING STATED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE";

strike in their entirety lines 11 through 14, inclusive; in lines 15 and 16, strike "(6)" and "(7)", respectively, and substitute "(7)" and "(8)", respectively; strike beginning with "A" in line 21 down through "OR" in line 26 and substitute "AN AMUSEMENT PARK"; strike in its entirety line 27; and in line 28, after the semicolon insert "OR".

On page 6, strike beginning with the semicolon in line 2 down through "PROHIBITED" in line 8; in line 10, after "OFFICIAL" insert "OR A POLICE OFFICER"; strike beginning with "OF" in line 10 down through the second "STATE" in line 11; after line 11, insert:

"(2) AN ON-DUTY EMPLOYEE OF A LAW ENFORCEMENT AGENCY AUTHORIZED BY THE AGENCY TO POSSESS FIREARMS ON DUTY OR WHOSE DUTY ASSIGNMENT INVOLVES THE POSSESSION OF FIREARMS";

in lines 12, 14, and 23, strike “**(2)**”, “**(3)**”, and “**(7)**”, respectively, and substitute “**(3)**”, “**(4)**”, and “**(8)**”, respectively; in line 12, after “**STATES**” insert a comma; in the same line, strike “**OR**”; in line 13, after “**GUARD**” insert “**, OR THE UNIFORMED SERVICES**”; strike in their entirety lines 16 through 18, inclusive; strike in their entirety lines 21 and 22; after line 22, insert:

“(6) A RAILROAD POLICE OFFICER APPOINTED UNDER TITLE 3, SUBTITLE 4 OF THE PUBLIC SAFETY ARTICLE;

“(7) AN EMPLOYEE OF AN ARMORED CAR COMPANY, IF THE PERSON IS ACTING WITHIN THE SCOPE OF EMPLOYMENT AND HAS A VALID PERMIT TO WEAR, CARRY, OR TRANSPORT A HANDGUN ISSUED UNDER TITLE 5, SUBTITLE 3 OF THE PUBLIC SAFETY ARTICLE;”;

in line 26, after the first “**STATE**” insert “**OR ANOTHER STATE**”; in the same line, after the second “**STATE**” insert “**OR ANOTHER STATE,**”; in line 28, strike “**DISPLAYING**” and substitute “**CARRYING**”; and in line 29, after “**CREDENTIAL**” insert “**IN COMPLIANCE WITH THE REQUIREMENTS OF THE BADGE OR CREDENTIAL**”.

On page 7, in lines 9 and 20 strike “**(8)**” and “**(9)**”, respectively, and substitute “**(9)**” and “**(10)**”, respectively; in line 19, strike “**WITHOUT**” and substitute “**WITH AN EXPRESS AGREEMENT BETWEEN THE PARTIES,**”; in the same line, after “**REMUNERATION**” insert a comma; in the same line, after the semicolon insert “**OR**”; and strike beginning with the semicolon in line 25 down through “**FIREARM**” in line 30.

AMENDMENT NO. 3

On page 8, in line 3, strike “**(D)**” and substitute “**(D)(1)**”; after line 4, insert:

(Over)

“(2) A GOVERNMENT OR PUBLIC INFRASTRUCTURE AREA SPECIFIED UNDER SUBSECTION (A)(4)(I) OF THIS SECTION MUST DISPLAY A CLEAR AND CONSPICUOUS SIGN AT THE MAIN ENTRANCE OF THE BUILDING OR THE PART OF A BUILDING THAT IS OWNED OR LEASED BY THE UNIT OF STATE OR LOCAL GOVERNMENT INDICATING THAT IT IS NOT PERMISSIBLE TO WEAR, CARRY, OR TRANSPORT A FIREARM IN THE BUILDING OR THAT PART OF THE BUILDING.”;

strike beginning with “(1)” in line 5 down through “(2)” in line 8; strike lines 10 and 11 in their entirety; in line 12, strike “(G) (1)” and substitute “(F)”; in the same line, strike “(D)” and substitute “(D)(1)”; strike beginning with the colon in line 13 down through “CONVICTION,” in line 14; in line 15, strike “90 DAYS” and substitute “1 YEAR”; in the same line, strike “\$3,000” and substitute “\$1,000”; strike beginning with the semicolon in line 15 down through “BOTH” in line 21; and in lines 22 and 28, strike “(H)” and “(I)”, respectively, and substitute “(G)” and “(H)”, respectively.

AMENDMENT NO. 4

On page 9, after line 2, insert:

“(I) NOTHING IN THIS SECTION LIMITS THE POWER OF AN ADMINISTRATIVE HEAD OF A MARYLAND COURT TO PUNISH FOR CONTEMPT OR TO ADOPT RULES OR ORDERS REGULATING, ALLOWING, RESTRICTING, OR PROHIBITING THE POSSESSION OF WEAPONS IN ANY BUILDING HOUSING THE COURT OR ANY OF ITS PROCEEDINGS, OR ON ANY GROUNDS APPURTENANT TO THE BUILDING.

4-203.

(b) This section does not prohibit:

(1) the wearing, carrying, or transporting of a handgun by a person who is authorized at the time and under the circumstances to wear, carry, or transport the handgun as part of the person's official equipment, and is:

(i) a law enforcement official of the United States, the State, or a county or city of the State;

(ii) a member of the armed forces of the United States or of the National Guard on duty or traveling to or from duty;

(iii) a law enforcement official of another state or subdivision of another state temporarily in this State on official business;

(iv) a correctional officer or warden of a correctional facility in the State;

(v) a sheriff or full-time assistant or deputy sheriff of the State;
or

(vi) a temporary or part-time sheriff's deputy;

(2) the wearing, carrying, or transporting of a handgun[, in compliance with any limitations imposed under § 5-307 of the Public Safety Article,] by a person to whom a permit to wear, carry, or transport the handgun has been issued under Title 5, Subtitle 3 of the Public Safety Article;

(3) the carrying of a handgun on the person or in a vehicle while the person is transporting the handgun to or from the place of legal purchase or sale, or to or from a bona fide repair shop, or between bona fide residences of the person, or between the bona fide residence and place of business of the person, if the business is operated and owned substantially by the person if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(Over)

(4) the wearing, carrying, or transporting by a person of a handgun used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a Department of Natural Resources–sponsored firearms and hunter safety class, trapping, or a dog obedience training class or show, while the person is engaged in, on the way to, or returning from that activity if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(5) the moving by a bona fide gun collector of part or all of the collector’s gun collection from place to place for public or private exhibition if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(6) the wearing, carrying, or transporting of a handgun by a person on real estate that the person owns or leases or where the person resides or within the confines of a business establishment that the person owns or leases;

(7) the wearing, carrying, or transporting of a handgun by a supervisory employee:

(i) in the course of employment;

(ii) within the confines of the business establishment in which the supervisory employee is employed; and

(iii) when so authorized by the owner or manager of the business establishment;

(8) the carrying or transporting of a signal pistol or other visual distress signal approved by the United States Coast Guard in a vessel on the waterways of the State or, if the signal pistol or other visual distress signal is unloaded and carried in an enclosed case, in a vehicle; or

(9) the wearing, carrying, or transporting of a handgun by a person who is carrying a court order requiring the surrender of the handgun, if:

(i) the handgun is unloaded;

(ii) the person has notified the law enforcement unit, barracks, or station that the handgun is being transported in accordance with the court order; and

(iii) the person transports the handgun directly to the law enforcement unit, barracks, or station.”;

after line 17, insert:

“(4) “LAW ENFORCEMENT OFFICIAL” HAS THE MEANING STATED IN § 4-201 OF THIS ARTICLE.

“(5) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE.

“(6) (I) “PROPERTY” MEANS A BUILDING.

“(II) “PROPERTY” DOES NOT INCLUDE THE LAND ADJACENT TO A BUILDING.”;

in line 19, after “**OFFICIAL**” insert “**OR POLICE OFFICER**”; strike beginning with “**OF**” in line 19 down through the second “**STATE**” in line 20; after line 20, insert:

“(2) AN ON-DUTY EMPLOYEE OF A LAW ENFORCEMENT AGENCY AUTHORIZED BY THE AGENCY TO POSSESS FIREARMS ON DUTY OR WHOSE DUTY ASSIGNMENT INVOLVES THE POSSESSION OF FIREARMS;”;

(Over)

in line 21, strike “**(2)**” and substitute “**(3)**”; in the same line, after “**STATES**” insert a comma; in the same line, strike “**OR OF**”; in line 22, after “**GUARD**” insert “**, OR THE UNIFORMED SERVICES**”; strike in their entirety lines 23 through 25, inclusive; and strike in their entirety lines 28 and 29.

AMENDMENT NO. 5

On page 10, in lines 1 and 5, strike “**(6)**” and “**(7)**”, respectively, and substitute “**(5)**” and “**(6)**”, respectively; in line 14, after “**NOT**” insert “**ENTER OR TRESPASS IN THE DWELLING OF ANOTHER UNLESS THE OWNER OR THE OWNER’S AGENT HAS GIVEN EXPRESS PERMISSION, EITHER TO THE PERSON OR TO THE PUBLIC GENERALLY, TO WEAR, CARRY, OR TRANSPORT A FIREARM INSIDE THE DWELLING.**”

(D) A PERSON WEARING, CARRYING, OR TRANSPORTING A FIREARM MAY NOT”;

strike beginning with “**THAT**” in line 15 down through the semicolon in line 17 and substitute “**UNLESS THE OWNER OR THE OWNER’S AGENT HAS POSTED A CLEAR AND CONSPICUOUS SIGN INDICATING THAT IT IS PERMISSIBLE TO WEAR, CARRY, OR TRANSPORT A FIREARM ON THE PROPERTY; OR**”; strike beginning with “**AFTER**” in line 18 down through “**NOT**” in line 19 and substitute “**UNLESS THE OWNER OR THE OWNER’S AGENT HAS GIVEN THE PERSON EXPRESS PERMISSION TO**”; in line 20, strike “**; OR**” and substitute a period; strike in their entirety lines 21 through 24, inclusive; in line 25, strike “**(D)**” and substitute “**(E)**”; strike beginning with the colon in line 26 down through “**CONVICTION,**” in line 27; in lines 27 and 28, strike “**90 DAYS**” and substitute “**1 YEAR**”; and in line 28, strike “**\$500**” and substitute “**\$1,000**”.

On pages 10 and 11, strike beginning with the semicolon in line 28 on page 10 down through “**BOTH**” in line 3 on page 11.

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On page 11, after line 3, insert:

“(F) (1) A CONVICTION UNDER THIS SECTION MAY NOT MERGE WITH A CONVICTION FOR ANY OTHER CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.

(2) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE IMPOSED SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.”.

AMENDMENT NO. 6

On page 11, after line 4, insert:

“5-307.

[(a) A permit is valid for each handgun legally in the possession of the person to whom the permit is issued.

[(b) The Secretary may limit the geographic area, circumstances, or times of the day, week, month, or year in which a permit is effective.]”.

On pages 11 through 20, strike in their entirety the lines beginning with line 5 on page 11 through line 13 on page 20, inclusive.

On page 20, in lines 14 and 19, strike “4.” and “5.”, respectively, and substitute “2.” and “3.”, respectively.