

SENATE BILL 946

E1, E4

7lr1731

By: **Senators Smith, Madaleno, Benson, Currie, Guzzone, Kagan, King, Lee, McFadden, Nathan-Pulliam, Robinson, Rosapepe, and Zucker**

Introduced and read first time: February 3, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Weapon-Free Higher Education Zones**

3 FOR the purpose of prohibiting the carrying or possession of a firearm on the property of a
4 public institution of higher education; providing for certain exceptions to the
5 prohibition; establishing a certain penalty; and generally relating to the carrying or
6 possession of firearms on the property of a public institution of higher education.

7 BY adding to

8 Article – Criminal Law

9 Section 4–102.1

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2016 Supplement)

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

14 **Article – Criminal Law**

15 **4–102.1.**

16 **(A) THIS SECTION DOES NOT APPLY TO:**

17 **(1) A LAW ENFORCEMENT OFFICER IN THE REGULAR COURSE OF THE**
18 **OFFICER’S DUTY;**

19 **(2) AN OFF-DUTY LAW ENFORCEMENT OFFICER OR A PERSON WHO**
20 **HAS RETIRED AS A LAW ENFORCEMENT OFFICER IN GOOD STANDING FROM A LAW**
21 **ENFORCEMENT AGENCY OF THE UNITED STATES, THE STATE, OR A LOCAL UNIT IN**
22 **THE STATE WHO IS A PARENT, GUARDIAN, OR VISITOR OF A STUDENT ATTENDING A**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SCHOOL LOCATED ON THE PROPERTY OF A PUBLIC INSTITUTION OF HIGHER
2 EDUCATION, IF:

3 (I) THE OFFICER OR RETIRED OFFICER IS DISPLAYING THE
4 OFFICER'S OR RETIRED OFFICER'S BADGE OR CREDENTIAL;

5 (II) THE WEAPON CARRIED OR POSSESSED BY THE OFFICER OR
6 RETIRED OFFICER IS CONCEALED; AND

7 (III) THE OFFICER OR RETIRED OFFICER IS AUTHORIZED TO
8 CARRY A CONCEALED HANDGUN IN THE STATE;

9 (3) A PERSON HIRED BY A PUBLIC INSTITUTION OF HIGHER
10 EDUCATION SPECIFICALLY FOR THE PURPOSE OF GUARDING THE PUBLIC
11 INSTITUTION OF HIGHER EDUCATION; OR

12 (4) ANY OTHER PERSON WHO IS AUTHORIZED TO CARRY OR POSSESS
13 A FIREARM FOR ACADEMIC OR EMPLOYMENT PURPOSES AS DETERMINED BY THE
14 GOVERNING BODY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION.

15 (B) A PERSON MAY NOT CARRY OR POSSESS A FIREARM WHILE KNOWINGLY
16 ON THE PROPERTY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION.

17 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND
18 ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE
19 NOT EXCEEDING \$2,500 OR BOTH.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2017.