

HOUSE BILL 302

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By: **Delegates Love, Shetty, Acevero, Atterbeary, Bagnall, Boyce, Carr, Charkoudian, Crutchfield, Feldmark, W. Fisher, Fraser-Hidalgo, Guyton, Henson, Kelly, Korman, Lehman, R. Lewis, Lierman, Moon, Mosby, Palakovich Carr, Qi, Solomon, Stewart, Terrasa, and C. Watson**

Introduced and read first time: January 20, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Deadly Weapons on School Property – Nonpublic Schools**
3 **(No Weapons on Nonpublic School Property Act)**

4 FOR the purpose of altering the scope of a certain prohibition against carrying or possessing
5 a deadly weapon on public school property to include nonpublic school property;
6 extending certain exceptions that allow the carrying or possessing of a deadly
7 weapon on public school property to nonpublic school property; and generally
8 relating to the prohibition against carrying or possessing deadly weapons on public
9 and nonpublic school property.

10 BY repealing and reenacting, with amendments,
11 Article – Criminal Law
12 Section 4–102
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2019 Supplement)

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

17 **Article – Criminal Law**

18 4–102.

19 (a) This section does not apply to:

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

21 (2) an off-duty law enforcement officer or a person who has retired as a law

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



enforcement officer in good standing from a law enforcement agency of the United States, the State, or a local unit in the State who is a parent, guardian, or visitor of a student attending a school located on the public **OR NONPUBLIC** school property, provided that:

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

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

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

(3) a person hired by:

(I) a county board of education specifically for the purpose of guarding public school property; **OR**

(II) **A NONPUBLIC SCHOOL SPECIFICALLY FOR THE PURPOSE OF GUARDING NONPUBLIC SCHOOL PROPERTY;**

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

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

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

(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.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.