

HOUSE BILL 31

E4, F3

9lr0815

(PRE-FILED)

By: **Delegate Glenn**

Requested: November 20, 2018

Introduced and read first time: January 9, 2019

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Weapons on School Property – School Resource Officer**

3 FOR the purpose of providing that a certain prohibition on carrying or possessing a certain
4 weapon on public school property does not apply to a school resource officer who is
5 assigned to a public school in Baltimore City and is on public school property in
6 Baltimore City; and generally relating to Baltimore City school resource officers.

7 BY repealing and reenacting, with amendments,

8 Article – Criminal Law

9 Section 4–102

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2018 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Education

14 Section 7–1501(a) and (j)

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2018 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Criminal Law**

20 4–102.

21 (a) This section does not apply to:

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) an off-duty law enforcement officer or a person who has retired as a law
2 enforcement officer in good standing from a law enforcement agency of the United States,
3 the State, or a local unit in the State who is a parent, guardian, or visitor of a student
4 attending a school located on the public school property, provided that:

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

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

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

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

13 (4) a person engaged in organized shooting activity for educational
14 purposes; [or]

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

18 **(6) A SCHOOL RESOURCE OFFICER, AS DEFINED IN § 7-1501 OF THE**
19 **EDUCATION ARTICLE, WHO IS ASSIGNED TO A PUBLIC SCHOOL IN BALTIMORE CITY**
20 **AND IS ON PUBLIC SCHOOL PROPERTY IN BALTIMORE CITY.**

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

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

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

28 Article – Education

29 7-1501.

30 (a) In this subtitle the following words have the meanings indicated.

31 (j) “School resource officer” means:

1 (1) A law enforcement officer as defined under § 3–101(e) of the Public
2 Safety Article who has been assigned to a school in accordance with a memorandum of
3 understanding between the chief of a law enforcement agency as defined under § 3–101(b)
4 of the Public Safety Article and the local education agency; or

5 (2) A Baltimore City school police officer, as defined in § 4–318 of this
6 article.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2019.