

# HOUSE BILL 159

E1, F2, E4  
HB 1002/16 – APP

7lr1184  
CF 7lr1982

By: Delegates B. Barnes, D. Barnes, Anderson, Busch, Conaway, Ebersole, Fennell, Frick, Frush, Gilchrist, Hill, Hixson, C. Howard, Jackson, Kelly, Korman, Krimm, Lafferty, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Pena-Melnyk, Platt, Reznik, Robinson, Sanchez, Tarlau, Valderrama, Waldstreicher, A. Washington, M. Washington, and P. Young

Introduced and read first time: January 19, 2017

Assigned to: Appropriations

## A BILL ENTITLED

1 AN ACT concerning Amendment #1

2 Cloud icon **Weapon-Free Higher Education Zones**

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

8 BY repealing and reenacting, with amendments, Amendment #1

9 Article – Criminal Law

10 Section 4–102

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2016 Supplement)

13 BY adding to

14 Article – Education

15 Section 15–121

16 Annotated Code of Maryland

17 (2014 Replacement Volume and 2016 Supplement)

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

19 That the Laws of Maryland read as follows:

20 **Article – Criminal Law**

21 4–102.

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.



(a) This section does not apply to:

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

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

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

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

(iii) the officer or retired officer is authorized to carry a concealed  
gun;

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

(4) a person engaged in organized shooting activity for educational  
r]

(5) a person who, with a written invitation from the school principal OR DENT OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION, displays or a historical demonstration using a weapon or a replica of a weapon for purposes;

(6) A PERSON CARRYING OR POSSESSING A FIREARM ON THE  
OF A PUBLIC INSTITUTION OF HIGHER EDUCATION WHO IS REQUIRED OR  
ED BY POLICIES OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION TO  
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  
ind on public school property.

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

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

## Article – Education

7 15-121.

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

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

### Amendment #3



BY: Appropriations Committee

**AMENDMENTS TO HOUSE BILL 159**  
(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 3, after the first “of” insert “altering a certain exception relating to law enforcement officers to the prohibition on carrying certain weapons on public school property;”; and in line 6, after “locations;” insert “requiring the Board of Regents for the University System of Maryland to incorporate into their bylaws, policies, and procedures, the current weapons practice on their campuses;”.

**AMENDMENT NO. 2**

On page 2, strike beginning with “who” in line 5 down through “EDUCATION” in line 7; and in line 8, strike “displaying” and substitute “**IN POSSESSION OF**”.

**AMENDMENT NO. 3**

On page 3, in line 13, after “That” insert “the Board of Regents for the University System of Maryland shall incorporate into their bylaws, policies, and procedures the current weapons practice on their campuses.”

**SECTION 3. AND BE IT FURTHER ENACTED, That”.**