E18 lr 3806

By: Delegates Branch, Anderson, Clippinger, Folden, Glenn, Sanchez, Walker, and Wilson

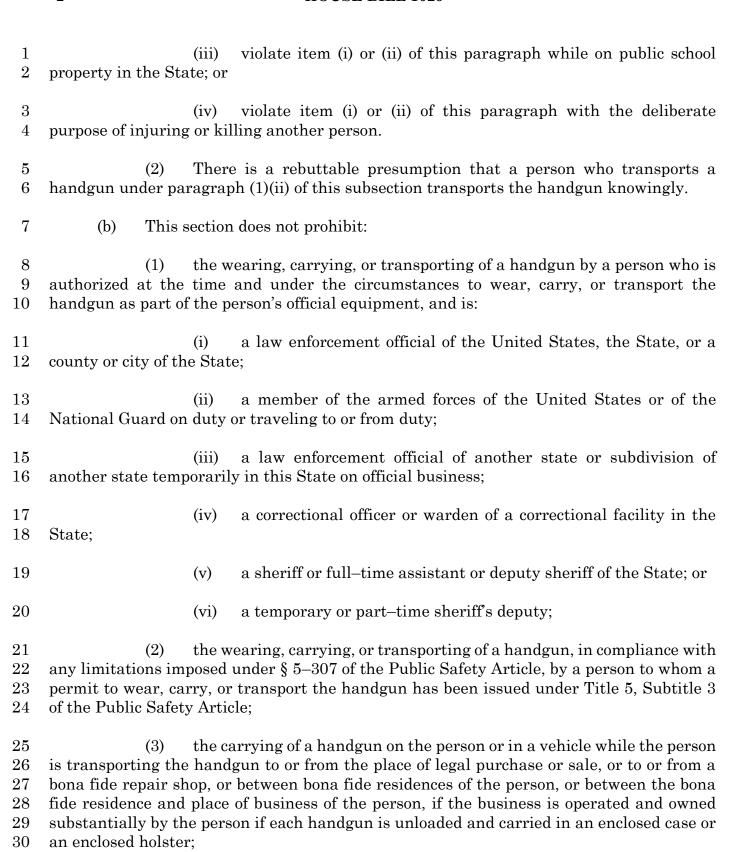
Introduced and read first time: February 7, 2018

Assigned to: Judiciary

A BILL ENTITLED

1	AN ACT concerning
2 3	Criminal Law – Wearing, Carrying, or Transporting Handgun – Subsequent Offender
4 5 6 7 8	FOR the purpose of prohibiting a court from suspending any part of certain sentences for certain persons who have previously been convicted of certain offenses; clarifying that certain sentences are mandatory minimum sentences; providing that certain persons are not eligible for parole during certain sentences, with a certain exception and generally relating to the crime of wearing, carrying, or transporting a handgung
9 10 11 12 13	BY repealing and reenacting, with amendments, Article – Criminal Law Section 4–203 Annotated Code of Maryland (2012 Replacement Volume and 2017 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND
15	That the Laws of Maryland read as follows:
16	Article - Criminal Law
17	4–203.
18	(a) (1) Except as provided in subsection (b) of this section, a person may not:
19 20	(i) wear, carry, or transport a handgun, whether concealed or open on or about the person;
21 22 23	(ii) wear, carry, or knowingly transport a handgun, whether concealed or open, in a vehicle traveling on a road or parking lot generally used by the public highway waterway or airway of the State:



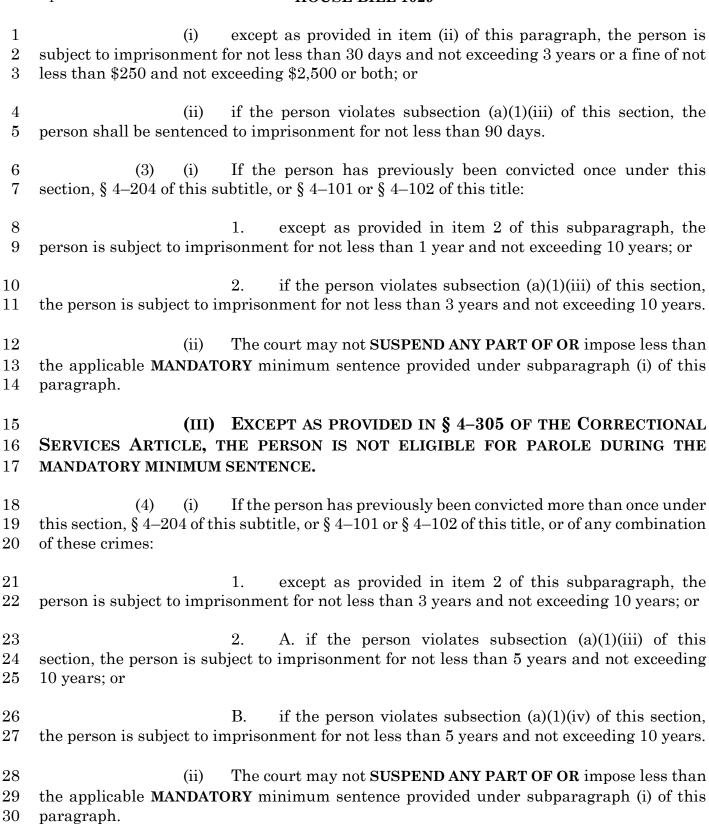


(4) the wearing, carrying, or transporting by a person of a handgun used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a Department of Natural Resources—sponsored

- firearms and hunter safety class, trapping, or a dog obedience training class or show, while 1 2the person is engaged in, on the way to, or returning from that activity if each handgun is 3 unloaded and carried in an enclosed case or an enclosed holster: 4 the moving by a bona fide gun collector of part or all of the collector's (5)gun collection from place to place for public or private exhibition if each handgun is 5 6 unloaded and carried in an enclosed case or an enclosed holster; 7 the wearing, carrying, or transporting of a handgun by a person on real 8 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: 9 10 (7)the wearing, carrying, or transporting of a handgun by a supervisory employee: 11 in the course of employment; 12 (i) 13 within the confines of the business establishment in which the (ii) 14 supervisory employee is employed; and when so authorized by the owner or manager of the business 15 (iii) 16 establishment; 17 the carrying or transporting of a signal pistol or other visual distress 18 signal approved by the United States Coast Guard in a vessel on the waterways of the State 19 or, if the signal pistol or other visual distress signal is unloaded and carried in an enclosed case, in a vehicle; or 20 21the wearing, carrying, or transporting of a handgun by a person who is 22carrying a court order requiring the surrender of the handgun, if: 23 (i) the handgun is unloaded; 24the person has notified the law enforcement unit, barracks, or (ii) 25station that the handgun is being transported in accordance with the court order; and
- 26 the person transports the handgun directly to the law 27 enforcement unit, barracks, or station.

(iii)

- 28 (c) A person who violates this section is guilty of a misdemeanor and on (1)29 conviction is subject to the penalties provided in this subsection.
- 30 If the person has not previously been convicted under this section, § 31 4-204 of this subtitle, or § 4-101 or § 4-102 of this title:



31 (III) EXCEPT AS PROVIDED IN § 4–305 OF THE CORRECTIONAL SERVICES ARTICLE, THE PERSON IS NOT ELIGIBLE FOR PAROLE DURING THE MANDATORY MINIMUM SENTENCE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.