

Council Bill 17-0111

1 (B) *CARRYING PROHIBITED.*

2 A PERSON MAY NOT:

3 (1) WEAR, CARRY, OR KNOWINGLY TRANSPORT A HANDGUN, WHETHER CONCEALED OR
4 OPEN, ON OR ABOUT THE PERSON WITHIN 100 YARDS OF, OR IN, A:

5 (I) PARK;

6 (II) CHURCH;

7 (III) SCHOOL;

8 (IV) PUBLIC BUILDING; OR

9 (V) OTHER PLACE OF PUBLIC ASSEMBLY.

10 (2) WEAR, CARRY, OR KNOWINGLY TRANSPORT A HANDGUN, WHETHER CONCEALED OR
11 OPEN, IN A VEHICLE TRAVELING ON A ROAD WITHIN 100 YARDS OF A:

12 (I) PARK;

13 (II) CHURCH;

14 (III) SCHOOL;

15 (IV) PUBLIC BUILDING; OR

16 (V) OTHER PLACE OF PUBLIC ASSEMBLY.

17 (3) WEAR, CARRY, OR KNOWINGLY TRANSPORT A HANDGUN IN CONNECTION WITH THE
18 COMMISSION OF A CRIME AGAINST A PERSON OR PROPERTY, WITHIN 100 YARDS OF,
19 OR IN, A:

20 (I) PARK;

21 (II) CHURCH;

22 (III) SCHOOL;

23 (IV) PUBLIC BUILDING; OR

24 (V) OTHER PLACE OF PUBLIC ASSEMBLY.

25 (C) *PERMISSIBLE INFERENCE.*

26 THE FINDER OF FACT MAY INFER THAT A PERSON WHO TRANSPORTS A HANDGUN IN
27 VIOLATION OF THIS SECTION TRANSPORTS THE HANDGUN KNOWINGLY.

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1 (D) *EXCEPTIONS.*

2 THIS SECTION DOES NOT PROHIBIT THE WEARING, CARRYING, OR TRANSPORTING OF A
3 HANDGUN BY A PERSON COVERED BY AN EXCEPTION IN STATE CRIMINAL LAW ARTICLE
4 § 4-203(B).

5 (E) *PENALTIES.*

6 (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON
7 CONVICTION IS SUBJECT TO THE FOLLOWING ~~MANDATORY~~ PENALTIES FOR EACH
8 OFFENSE:

9 ~~(I) IMPRISONMENT FOR 1 YEAR; AND~~

10 ~~(II) A FINE OF \$1,000.~~

11 (I) IF THE HANDGUN WAS WORN, CARRIED, OR TRANSPORTED IN CONNECTION
12 WITH THE COMMISSION OF A CRIME AGAINST A PERSON OR PROPERTY,
13 MANDATORY IMPRISONMENT FOR 1 YEAR AND A MANDATORY FINE OF \$1,000;

14 (II) IF THE PERSON HAS A PREVIOUS CONVICTION FOR A VIOLATION OF THIS SECTION
15 OR STATE CRIMINAL LAW ARTICLE § 4-203 {"WEARING, CARRYING, OR
16 TRANSPORTING HANDGUN"}, MANDATORY IMPRISONMENT FOR 1 YEAR AND A
17 MANDATORY FINE OF \$1,000; OR

18 (III) IF NEITHER ITEM (I) NOR ITEM (II) OF THIS PARAGRAPH APPLY, A FINE OF NOT
19 MORE THAN \$1,000 OR IMPRISONMENT FOR NOT LONGER THAN 12 MONTHS OR
20 BOTH FINE AND IMPRISONMENT, IN THE DISCRETION OF THE COURT.

21 (2) THE COURT MAY NOT IMPOSE LESS THAN, OR SUSPEND ANY PART OF, ~~THE ANY~~
22 MANDATORY SENTENCE PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION.

23 (3) A PERSON WHO VIOLATES THIS SECTION IS NOT ELIGIBLE FOR A PROBATION BEFORE
24 JUDGMENT.

25 (4) A PERSON WHO VIOLATES THIS SECTION IS NOT ELIGIBLE FOR PAROLE.

26 (5) EACH VIOLATION OF THIS SECTION IS A SEPARATE OFFENSE.

27 (F) *SEVERABILITY.*

28 ALL PROVISIONS OF THIS SECTION ARE SEVERABLE. IF A COURT DETERMINES THAT A
29 WORD, PHRASE, CLAUSE, SENTENCE, PARAGRAPH, SUBSECTION, OR OTHER PROVISION IS
30 INVALID OR THAT THE APPLICATION OF ANY PART OF THE PROVISION TO ANY PERSON OR
31 CIRCUMSTANCES IS INVALID, THE REMAINING PROVISIONS AND THE APPLICATION OF THOSE
32 PROVISIONS TO OTHER PERSONS OR CIRCUMSTANCES ARE NOT AFFECTED BY THAT
33 DECISION.

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1 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the catchlines contained in this Ordinance
2 are not law and may not be considered to have been enacted as a part of this or any prior
3 Ordinance.

4 **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it is
5 enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City