CITY OF BALTIMORE ORDINANCE _____ Council Bill 15-0582

Introduced by: Councilmembers Spector, Costello, Kraft, Branch, President Young, Councilmembers Clarke, Reisinger, Welch, Curran, Henry

Introduced and read first time: October 19, 2015

Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable Council action: Adopted Read second time: April 7, 2016

AN ORDINANCE CONCERNING

1	Dangerous Knives –
2	Transfer, etc., to or Permitting Possession, etc., by Individual Under 21
3	FOR the purpose of prohibiting the sale, giving away, or other transfer of certain knives to
4	individuals under the age of 21; prohibiting a person from permitting the use or possession of
5	these dangerous knives by individuals under the age of 21; defining certain terms; imposing
6	certain penalties; and conforming language and penalties in related provisions dealing with
7	switchblade knives.
8	By repealing and reordaining, with amendments
9	Article 19 - Police Ordinances
10	Section 59-22
11	Baltimore City Code
12	(Edition 2000)
13	By adding
14	Article 19 - Police Ordinances
15	Section 59-23
16	Baltimore City Code
17	(Edition 2000)
18	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the
19	Laws of Baltimore City read as follows:
20	Baltimore City Code
21	Article 19. Police Ordinances
22	Subtitle 59. Weapons
23	Part 3. Other Weapons

EXPLANATION: CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

Underlining indicates matter added to the bill by amendment.

Strike out indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1	§ 59-22. [Switch-blade] SWITCHBLADE knives – POSSESSION OR SALE, ETC.
2	(A) "PERSON" DEFINED.
3 4	IN THIS SECTION, "PERSON" MEANS ANY INDIVIDUAL, PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, LIMITED LIABILITY COMPANY, OR OTHER ENTITY OF ANY KIND.
5	(B) [(a) Possession or sale, etc., prohibited.] PROHIBITED POSSESSION OR SALE, ETC.
6 7 8	[It shall be unlawful for any] NO person [to] MAY sell, carry, or possess any knife with an automatic spring or other device for opening [and/or] OR closing the blade, commonly known as a [switch-blade] SWITCHBLADE knife.
9	(C) [(b)] Penalties.
10 11 12 13 14	Any person [violating the provisions] WHO VIOLATES ANY PROVISION of this section IS GUILTY OF A MISDEMEANOR AND, [shall, upon] ON conviction [thereof], [be fined] is subject to a fine of not more than [\$500] \$1,000 or [be imprisoned] TO IMPRISONMENT for not more than [1 year,] 12 MONTHS or TO both FINE AND IMPRISONMENT FOR EACH OFFENSE[, in the discretion of the court].
15	§ 59-23. DANGEROUS KNIVES – TRANSFER TO, ETC., INDIVIDUALS UNDER 21.
16	(A) DEFINITIONS.
17	(1) IN GENERAL.
18	IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.
19	(2) DANGEROUS KNIFE.
20	"DANGEROUS KNIFE" MEANS ANY:
21	(I) BOWIE KNIFE;
22	(II) DIRK KNIFE;
23	(III) GRAVITY KNIFE;
24	(IV) SHOOTING KNIFE, AS DESCRIBED IN STATE CRIMINAL LAW ARTICLE \S 4-105;
25	(V) STAR KNIFE, AS DEFINED IN STATE CRIMINAL LAW ARTICLE § 4-101;
26	(VI) STRAIGHT RAZOR;
27 28	(VII) SWITCHBLADE KNIFE, AS DESCRIBED IN \S 59-22 OF THIS SUBTITLE OR IN STATE CRIMINAL LAW ARTICLE \S 4-105; OR
29	(VIII) ANY KNIFE WITH A BLADE THAT IS LONGER THAN 3 INCHES.

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1	(3) PERSON.
2 3	"PERSON" MEANS ANY INDIVIDUAL, PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, LIMITED LIABILITY COMPANY, OR OTHER ENTITY OF ANY KIND.
4	(B) Prohibited transfer to, etc., individuals under 21.
5 6 7	NO PERSON MAY SELL, GIVE, OR OTHERWISE TRANSFER A DANGEROUS KNIFE TO, OR PERMIT THE USE OR POSSESSION OF A DANGEROUS KNIFE BY, ANY INDIVIDUAL THAT THE PERSON KNOWS OR HAS REASONABLE CAUSE TO BELIEVE IS UNDER THE AGE OF 21.
8	(C) PENALTIES.
9 10 11 12	ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR TO IMPRISONMENT FOR NOT MORE THAN 12 MONTHS OR TO BOTH FINE AND IMPRISONMENT FOR EACH OFFENSE. SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance
14 15	are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.
16 17	SECTION 3. AND BE IT FURTHER ORDAINED , That this Ordinance takes effect on the 30 th day after the date it is enacted.
	Certified as duly passed this day of, 20
	President, Baltimore City Council
	Certified as duly delivered to Her Honor, the Mayor,
	this, 20
	Chief Clerk
	Approved this day of
	Mayor, Baltimore City