

**CITY OF BALTIMORE  
COUNCIL BILL 17-0111  
(First Reader)**

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Introduced by: The Council President, President Young, Councilmembers Costello, Middleton,  
Reisinger, Stokes

At the request of: The Administration (Police Department)

Introduced and read first time: July 17, 2017

Assigned to: Judiciary and Legislative Investigations Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department, Baltimore City  
State's Attorney

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Weapons – Prohibiting Handguns Near Places of Public Assembly**

3 FOR the purpose of prohibiting the wearing, carrying, or knowingly transporting of handguns  
4 near certain places of public assembly; creating certain exceptions; defining a certain term;  
5 establishing a certain mandatory penalty; setting a special effective date; and generally  
6 relating to handguns.

7 BY adding

8 Article 19 - Police Ordinances

9 Section(s) 59-5

10 Baltimore City Code

11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
13 Laws of Baltimore City read as follows:

14 **Baltimore City Code**

15 **Article 19. Police Ordinances**

16 **Subtitle 59. Weapons**

17 **§ 59-5. HANDGUNS.**

18 (A) *“HANDGUN” DEFINED.*

19 IN THIS SECTION “HANDGUN” MEANS A FIREARM, AS DEFINED IN STATE PUBLIC SAFETY  
20 ARTICLE § 5-101(H), THE BARREL OF WHICH IS 14 INCHES OR UNDER IN LENGTH.

21 (B) *CARRYING PROHIBITED.*

22 A PERSON MAY NOT:

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

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

3 (I) PARK;

4 (II) CHURCH;

5 (III) SCHOOL;

6 (IV) PUBLIC BUILDING; OR

7 (V) OTHER PLACE OF PUBLIC ASSEMBLY.

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

10 (I) PARK;

11 (II) CHURCH;

12 (III) SCHOOL;

13 (IV) PUBLIC BUILDING; OR

14 (V) OTHER PLACE OF PUBLIC ASSEMBLY.

15 (C) *PERMISSIBLE INFERENCE.*

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

18 (D) *EXCEPTIONS.*

19 THIS SECTION DOES NOT PROHIBIT THE WEARING, CARRYING, OR TRANSPORTING OF A  
20 HANDGUN BY A PERSON COVERED BY AN EXCEPTION IN STATE CRIMINAL LAW ARTICLE  
21 § 4-203(B).

22 (E) *PENALTIES.*

23 (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON  
24 CONVICTION IS SUBJECT TO THE FOLLOWING MANDATORY PENALTIES FOR EACH  
25 OFFENSE:

26 (I) IMPRISONMENT FOR 1 YEAR; AND

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

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

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

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

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

5 (F) *SEVERABILITY.*

6 ALL PROVISIONS OF THIS SECTION ARE SEVERABLE. IF A COURT DETERMINES THAT A  
7 WORD, PHRASE, CLAUSE, SENTENCE, PARAGRAPH, SUBSECTION, OR OTHER PROVISION IS  
8 INVALID OR THAT THE APPLICATION OF ANY PART OF THE PROVISION TO ANY PERSON OR  
9 CIRCUMSTANCES IS INVALID, THE REMAINING PROVISIONS AND THE APPLICATION OF THOSE  
10 PROVISIONS TO OTHER PERSONS OR CIRCUMSTANCES ARE NOT AFFECTED BY THAT  
11 DECISION.

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

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