



Legislation Details (With Text)

File #: 17-0111 **Version:** 0 **Name:** Weapons - Prohibiting Handguns Near Places of Public Assembly

Type: Ordinance **Status:** Enacted

File created: 7/17/2017 **In control:** City Council

On agenda: **Final action:** 10/2/2017

Enactment date: **Enactment #:** 17-064

Title: Weapons - Prohibiting Handguns Near Places of Public Assembly
For the purpose of prohibiting the wearing, carrying, or knowingly transporting of handguns near certain places of public assembly; creating certain exceptions; defining a certain term; establishing a certain mandatory penalty; setting a special effective date; and generally relating to handguns.

Sponsors: City Council President (Administration), President Young, Eric T. Costello, Sharon Green Middleton, Edward Reisinger, Robert Stokes, Sr.

Indexes: Handguns, Public Assembly, Weapons

Code sections:

Attachments: 1. Law 17-0111, 2. 17-0111~1st Reader, 3. 2nd Reader Amendments 17-0111, 4. 17-0111~3rd Reader, 5. Completed Legislative File 17-0111, 6. Completed Legislative File 17-0111, 7. Completed Legislative File 17-0111

Date	Ver.	Action By	Action	Result
10/16/2017	0	Mayor	Signed by Mayor	
9/11/2017	0	City Council	Approved and Sent to the Mayor	
8/14/2017	0	City Council	3rd Reader, for final passage	
8/14/2017	0	Judiciary and Legislative Investigations	Recommended Favorably with Amendment	
7/25/2017	0	Judiciary and Legislative Investigations	Recommended Favorably with Amendment	Pass
7/20/2017	0	The City Council	Refer to Police Department	
7/20/2017	0	The City Council	Refer to States' Attorney's Office	
7/20/2017	0	The City Council	Refer to City Solicitor	
7/17/2017	0	City Council	Assigned	
7/17/2017	0	City Council	Introduced	
7/17/2017	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*
City of Baltimore
Council Bill

Introduced by: The Council President and President Young

At the request of: The Administration (Police Department)

A Bill Entitled

An Ordinance concerning

Weapons - Prohibiting Handguns Near Places of Public Assembly

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

By adding

Article 19 - Police Ordinances
Section(s) 59-5
Baltimore City Code
(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

Subtitle 59. Weapons

§ 59-5. Handguns.

(a) *“Handgun” defined.*

In this section “handgun” means a firearm, as defined in State Public Safety Article § 5-101(h), the barrel of which is 14 inches or under in length.

(b) *Carrying prohibited.*

A person may not:

(1) wear, carry, or knowingly transport a handgun, whether concealed or open, on or about the person within 100 yards of, or in, a:

(i) park;

(ii) church;

(iii) school;

(iv) public building; or

(v) other place of public assembly.

(2) wear, carry, or knowingly transport a handgun, whether concealed or open, in a vehicle traveling on a road within 100 yards of a:

- (i) park;
- (ii) church;
- (iii) school;
- (iv) public building; or
- (v) other place of public assembly.

(c) *Permissible inference.*

The finder of fact may infer that a person who transports a handgun in violation of this section transports the handgun knowingly.

(d) *Exceptions.*

This section does not prohibit the wearing, carrying, or transporting of a handgun by a person covered by an exception in State Criminal Law Article § 4-203(b).

(e) *Penalties.*

(1) A person who violates this section is guilty of a misdemeanor and on conviction is subject to the following mandatory penalties for each offense:

- (i) imprisonment for 1 year; and
- (ii) a fine of \$1,000.

(2) The court may not impose less than, or suspend any part of, the mandatory sentence provided in paragraph (1) of this subsection.

(3) A person who violates this section is not eligible for a probation before judgment.

(4) A person who violates this section is not eligible for parole.

(5) Each violation of this section is a separate offense.

(f) *Severability.*

All provisions of this section are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, or other provision is invalid or that the application of any part of the provision to any person or circumstances is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

Section 3. And be it further ordained, That this Ordinance takes effect on the date it is enacted.