

**INTRODUCTORY\***  
**CITY OF BALTIMORE**  
**COUNCIL BILL \_\_\_\_\_**

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Introduced by: ♦  
At the request of: ♦

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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.*

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.

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.

(B) *PRESUMPTION OF KNOWLEDGE.*

THERE IS A REBUTTABLE PRESUMPTION THAT A PERSON WHO TRANSPORTS A HANDGUN IN VIOLATION OF THIS SECTION TRANSPORTS THE HANDGUN KNOWINGLY.

(C) *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).

(D) *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.

**DRAFTED BY DLR 13JUL17**

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- (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.

**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.