

Introduced 3/2/15
Public Hearing 3/16/15 Tabled
Council Action 5/4/15 4/6/15
Executive Action 5/12/15
Effective Date 7/12/15

County Council of Howard County, Maryland

2015 Legislative Session

Legislative Day No. 3

Bill No. 8 -2015

Introduced by: Calvin Ball, Jennifer Terrasa, and Jon Weinstein

AN ACT to prohibit the carrying of certain weapons in certain County-owned buildings; renaming a certain subtitle; and generally relating to weapons controls in County buildings.

Introduced and read first time March 2, 2015. Ordered posted and hearing scheduled.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on March 16, 2015.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Tabled April 6, 2015

This Bill was read the third time on May 4, 2015 and Passed , Passed with amendments , Failed .

By order Jessica Feldmark
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 6th day of May, 2015 at 3:30 a.m./p.m.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Approved by the County Executive May 12, 2015

Allan H. Kittleman
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS** gun violence is one of the leading causes of death and injury to young
2 people in the United State and more than 30,000 people are killed by firearms each year in this
3 country; and

4 **WHEREAS**, in recent years, there have been a number of tragic incidents including
5 shootings in public buildings; and

6 **WHEREAS** prohibiting guns in public buildings decreases the opportunity that guns will
7 be misused and thereby protects the County employees working there and members of the
8 general public who are doing business there; and

9 **WHEREAS** State law already prohibits guns in schools and the Criminal Law Article,
10 Section 4-209 (b) specifically allows the County to prohibit possession of guns in other public
11 buildings; and

12 **WHEREAS** it is prudent to keep guns out of public buildings unless they are carried by
13 those who are specifically trained in their use for a legitimate public safety purpose.

14
15 ***Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the***
16 ***Howard County Code is amended as follows:***

17 *By amending*

18 *Title 8. Crimes and misdemeanors.*

19 *Subtitle 4. Firearms controls.*

20 *By adding*

21 *Section 8.407. Carrying guns on public property*

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25 **Title 8. Crimes and misdemeanors.**

26 **Subtitle 4. ~~[[Firearms]] WEAPONS controls.~~**

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29
30 **8.407. CARRYING WEAPONS ON PUBLIC PROPERTY.**

31 **(A) IN GENERAL.**

1 SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, A PERSON MAY NOT CARRY A GUN
2 AS DEFINED IN § 8.400 OF THIS SUBTITLE OR A DANGEROUS WEAPON PROHIBITED BY § 4-101 OF THE
3 CRIMINAL LAW ARTICLE OF THE MARYLAND CODE WHILE IN A PUBLIC BUILDING THAT IS ON
4 COUNTY PROPERTY

5 (B) EXCLUDED BUILDINGS.

6 THIS SECTION SHALL NOT APPLY TO THE HOWARD COUNTY CIRCUIT COURT BUILDING.

7 (C) EXEMPT PERSONNEL.

8 THIS SECTION SHALL NOT APPLY TO:

9 (1) A MARSHAL, SHERIFF, CORRECTIONAL OFFICER, OR DEPUTY;

10 (2) A POLICE OFFICER OR OTHER LAW ENFORCEMENT OFFICER EMPLOYED BY A UNIT OF THE
11 UNITED STATES GOVERNMENT, A STATE GOVERNMENT OR A LOCAL SUBDIVISION OF A STATE;

12 (3) A MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR OF THE NATIONAL
13 GUARD OR ORGANIZED RESERVES WHEN ON DUTY;

14 (4) A SPECIAL POLICE OFFICER AS THAT TERM IS USED IN § 3-301 OF THE PUBLIC SAFETY
15 ARTICLE OF THE MARYLAND CODE;

16 (5) A GUARD IN THE EMPLOY OF A BANK, SAVINGS AND LOAN ASSOCIATION, BUILDING AND
17 LOAN ASSOCIATION, OR EXPRESS OR ARMORED CAR AGENCY, WHILE PROVIDING A SERVICE TO OR
18 FOR THE COUNTY;

19 (6) AN EMPLOYEE OF A UNIT OF COUNTY GOVERNMENT WHO IS REQUIRED TO CARRY A GUN
20 AS A CONDITION OF EMPLOYMENT OR TO TRANSPORT OR OTHERWISE HANDLE A GUN OR
21 DANGEROUS WEAPON WITHIN THE SCOPE OF THE EMPLOYEE'S EMPLOYMENT RESPONSIBILITIES;

22 (7) A QUALIFIED RETIRED LAW ENFORCEMENT OFFICER AS PROVIDED IN THE LAW
23 ENFORCEMENT OFFICERS SAFETY ACT IF THE RETIRED OFFICER COMPLIES WITH 18 U.S. CODE §
24 926C; ~~AND~~

25 (8) A PERSON ACTING IN ACCORDANCE WITH A PERMIT ISSUED UNDER § 19.205 OF THE
26 COUNTY CODE; AND

27 (9) AN INDIVIDUAL WHO HANDLES AN UNLOADED GUN OR DANGEROUS WEAPON:

28 (i) WHILE ACTING AS A CURATOR, CONSERVATOR, DOCENT, OR HISTORICAL
29 REENACTOR, OR IN A SIMILAR ROLE; AND

30 (ii) WHILE UNDER THE DIRECTION OR CONTROL OF, OR WITH PERMISSION FROM, THE
31 DEPARTMENT OF RECREATION AND PARKS OR ANOTHER DEPARTMENT THAT:

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- 1. OPERATES A MUSEUM; OR
- 2. CONDUCTS A PROGRAM THAT IS HISTORICAL OR EDUCATIONAL.

Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.

Amendment 2 to Council Bill 8-2015

BY: Jon Weinstein and Greg Fox

Legislative Day No: 4

Date: 4/6/15

Amendment No. 2

(This amendment allows a person to handle guns or dangerous weapons if the person is (1) a county employee while within the scope of the employee's employment responsibilities or (2) working in a certain museum-related role.)

1 On page 3:

2

3 In line 20 after "EMPLOYMENT" insert "OR TO TRANSPORT OR OTHERWISE HANDLE A GUN OR
4 DANGEROUS WEAPON WITHIN THE SCOPE OF THE EMPLOYEE'S EMPLOYMENT RESPONSIBILITIES".

5

6 In line 23, strike "AND".

7

8 At the end of line 25, before the period, insert

9 ": AND

10 (9) AN INDIVIDUAL WHO HANDLES AN UNLOADED GUN OR DANGEROUS WEAPON:

11 (I) WHILE ACTING AS A CURATOR, CONSERVATOR, DOCENT, OR HISTORICAL
12 REENACTOR, OR IN A SIMILAR ROLE; AND

13 (II) WHILE UNDER THE DIRECTION OR CONTROL OF, OR WITH PERMISSION FROM, THE
14 DEPARTMENT OF RECREATION AND PARKS OR ANOTHER DEPARTMENT THAT:

15 1. OPERATES A MUSEUM; OR

16 2. CONDUCTS A PROGRAM THAT IS HISTORICAL OR EDUCATIONAL".

ADOPTED

FAILED

SIGNATURE

5/4/15

Jessica Edwards

1 SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, A PERSON MAY NOT CARRY A GUN
2 AS DEFINED IN § 8.400 OF THIS SUBTITLE OR A DANGEROUS WEAPON PROHIBITED BY § 4-101 OF THE
3 CRIMINAL LAW ARTICLE OF THE MARYLAND CODE WHILE IN A PUBLIC BUILDING THAT IS ON
4 COUNTY PROPERTY

5 (B) EXCLUDED BUILDINGS.

6 THIS SECTION SHALL NOT APPLY TO THE HOWARD COUNTY CIRCUIT COURT BUILDING.

7 (C) EXEMPT PERSONNEL.

8 THIS SECTION SHALL NOT APPLY TO:

9 (1) A MARSHAL, SHERIFF, CORRECTIONAL OFFICER, OR DEPUTY;

10 (2) A POLICE OFFICER OR OTHER LAW ENFORCEMENT OFFICER EMPLOYED BY A UNIT OF THE
11 UNITED STATES GOVERNMENT, A STATE GOVERNMENT OR A LOCAL SUBDIVISION OF A STATE;

12 (3) A MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR OF THE NATIONAL
13 GUARD OR ORGANIZED RESERVES WHEN ON DUTY;

14 (4) A SPECIAL POLICE OFFICER AS THAT TERM IS USED IN § 3-301 OF THE PUBLIC SAFETY
15 ARTICLE OF THE MARYLAND CODE;

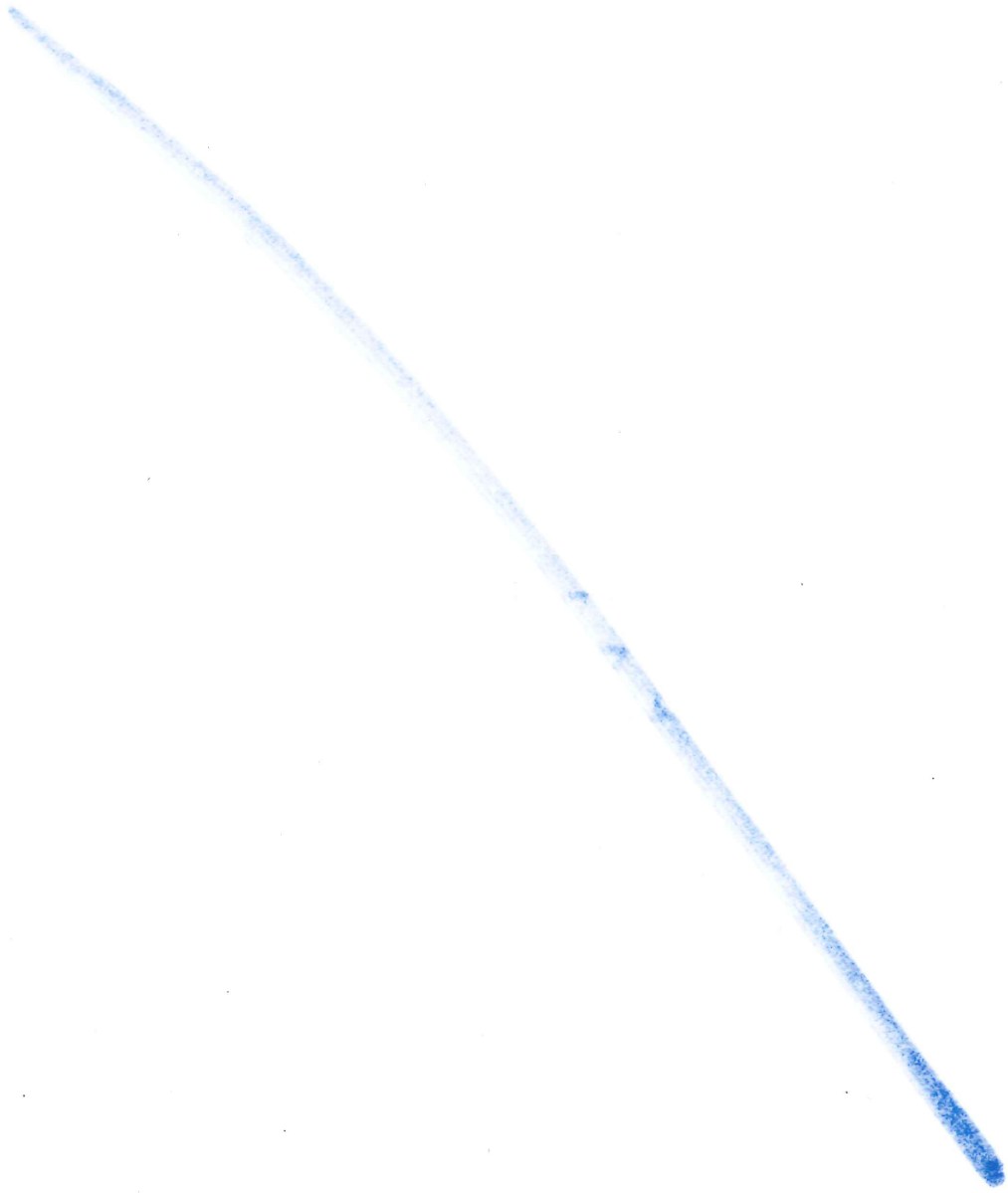
16 (5) A GUARD IN THE EMPLOY OF A BANK, SAVINGS AND LOAN ASSOCIATION, BUILDING AND
17 LOAN ASSOCIATION, OR EXPRESS OR ARMORED CAR AGENCY, WHILE PROVIDING A SERVICE TO OR
18 FOR THE COUNTY;

19 (6) AN EMPLOYEE OF A UNIT OF COUNTY GOVERNMENT WHO IS REQUIRED TO CARRY A GUN
20 AS A CONDITION OF EMPLOYMENT;

21 (7) A QUALIFIED RETIRED LAW ENFORCEMENT OFFICER AS PROVIDED IN THE LAW
22 ENFORCEMENT OFFICERS SAFETY ACT IF THE RETIRED OFFICER COMPLIES WITH 18 U.S. CODE §
23 926C; AND

24 (8) A PERSON ACTING IN ACCORDANCE WITH A PERMIT ISSUED UNDER § 19.205 OF THE
25 COUNTY CODE.

26
27 ***Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that***
28 ***this Act shall become effective 61 days after its enactment.***



Amendment 1 to Council Bill 8-2015

BY: Greg Fox

**Legislative Day No: 4
Date: April 6, 2015**

Amendment No. 1

(This amendment adds an exemption for a person who has a permit to carry a handgun under state law, provides that the exemption does not apply in buildings monitored by a magnetometer or equivalent security protocol, requires the County, within a set timeframe, to update the security protocol at the George Howard Building, including but not limited to the installation of a magnetometer or equivalent security protocol, and requires that the County establish a policy for on-going security and vulnerability assessments for public County owned and leased buildings.)

1 On the title page, strike “and general relating to firearms controls” and substitute
2 “requiring that certain safety protocols for a certain County building be implemented by a certain
3 when limiting the ability to carry a gun or other dangerous weapon by law enforcement and other
4 citizens that are otherwise permitted to so by law date; requiring that a policy for conducting
5 security and vulnerability assessments for public buildings be developed; and generally relating
6 to security”.

7
8 On page 2, strike lines 1 through 13 and substitute:

9
10 “WHEREAS, in recent years, there have been a number of tragic incidents including
11 shootings, bombings and stabbings in public buildings; and

12
13 WHEREAS, reviewing the vulnerability and security of County employees and the
14 general public, especially in public County buildings, is paramount.”

15
16 On page 3, make the following changes:

- 17
18 1. In line 23, strike “AND” ;
19 2. In line 25, immediately after “CODE”, strike the period and substitute “; AND”;
20 3. in line 26, insert:

ADOPTED
FAILED as amended 5/4/15
SIGNATURE Jessica Edwards

Amendment 1 to Amendment No. 1 to Council Bill 8-2015

BY: Greg Fox

Legislative Day No: 5

Date: 5/4/2015

Amendment No. 1 to Amendment No. 1 to CB 8-2015

1 On page 1, in lines 2 and 3, strike “by a certain date” and substitute “when limiting the
2 ability to carry a gun or other dangerous weapon by law enforcement and other citizens that are
3 otherwise permitted to so by law”.

4

5 On page 2, strike lines 2 through 5, inclusive, and substitute:

6

7 “(D) EXEMPTION NOT APPLICABLE.

8 THE EXEMPTIONS INCLUDED IN SUBSECTION (C) OF THIS SECTION SHALL NOT APPLY IN A
9 PUBLIC BUILDING THAT IS MONITORED BY A PERMANENT MAGNETOMETER OR EQUIVALENT
10 SECURITY PROTOCOL AS DETERMINED BY THE HOWARD COUNTY POLICE DEPARTMENT OR
11 DURING TIMES THAT TEMPORARY SECURITY PROTOCOL AS DETERMINED BY THE HOWARD
12 COUNTY POLICE DEPARTMENT IS IN EFFECT.”.

13

14 On page 2, strike in their entirety lines 26 through 29, inclusive.

15

16 On page 3, in lines 1 and 6, strike “3” and “4”, respectively, and substitute “2” and “3”,
17 respectively.

ADOPTED 5/4/15
FAILED _____
SIGNATURE Jessica Feldman

Amendment 1 to Council Bill 8-2015

BY: Greg Fox

Legislative Day No: 4
Date: 4/6/15

Amendment No. 1

(This amendment adds an exemption for a person who has a permit to carry a handgun under state law, provides that the exemption does not apply in buildings monitored by a magnetometer or equivalent security protocol, requires the County, within a set timeframe, to update the security protocol at the George Howard Building, including but not limited to the installation of a magnetometer or equivalent security protocol, and requires that the County establish a policy for on-going security and vulnerability assessments for public County owned and leased buildings.)

1 On the title page, strike “and general relating to firearms controls” and substitute
2 “requiring that certain safety protocols for a certain County building be implemented by a certain
3 date; requiring that a policy for conducting security and vulnerability assessments for public
4 buildings be developed; and generally relating to security”.

5
6 On page 2, strike lines 1 through 13 and substitute:

7
8 “WHEREAS, in recent years, there have been a number of tragic incidents including
9 shootings, bombings and stabbings in public buildings; and

10
11 WHEREAS, reviewing the vulnerability and security of County employees and the
12 general public, especially in public County buildings, is paramount.”

13
14 On page 3, make the following changes:

- 15
16 1. In line 23, strike “AND”;
17 2. In line 25, immediately after “CODE”, strike the period and substitute “; AND”;
18 3. in line 26, insert:

19 “(9) A PERSON WHO HAS RECEIVED A PERMIT TO CARRY A HANDGUN UNDER TITLE 5,
20 SUBTITLE 3 OF THE PUBLIC SAFETY ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

1
2 (D) EXEMPTION NOT APPLICABLE.

3 THE EXEMPTIONS INCLUDED IN SUBSECTION (C) OF THIS SECTION SHALL NOT APPLY IN A
4 PUBLIC BUILDING THAT IS MONITORED BY A MAGNETOMETER OR EQUIVALENT SECURITY
5 PROTOCOL.

6 (E) EXEMPTIONS FOR BUILDINGS WITH MAGNETOMETER OR EQUIVALENT SECURITY PROTOCOL.

7 THE FOLLOWING EXEMPTIONS SHALL APPLY IF THE BUILDING SAFETY PROTOCOL INCLUDES THE
8 USE OF A MAGNETOMETER OR EQUIVALENT SECURITY PROTOCOL:

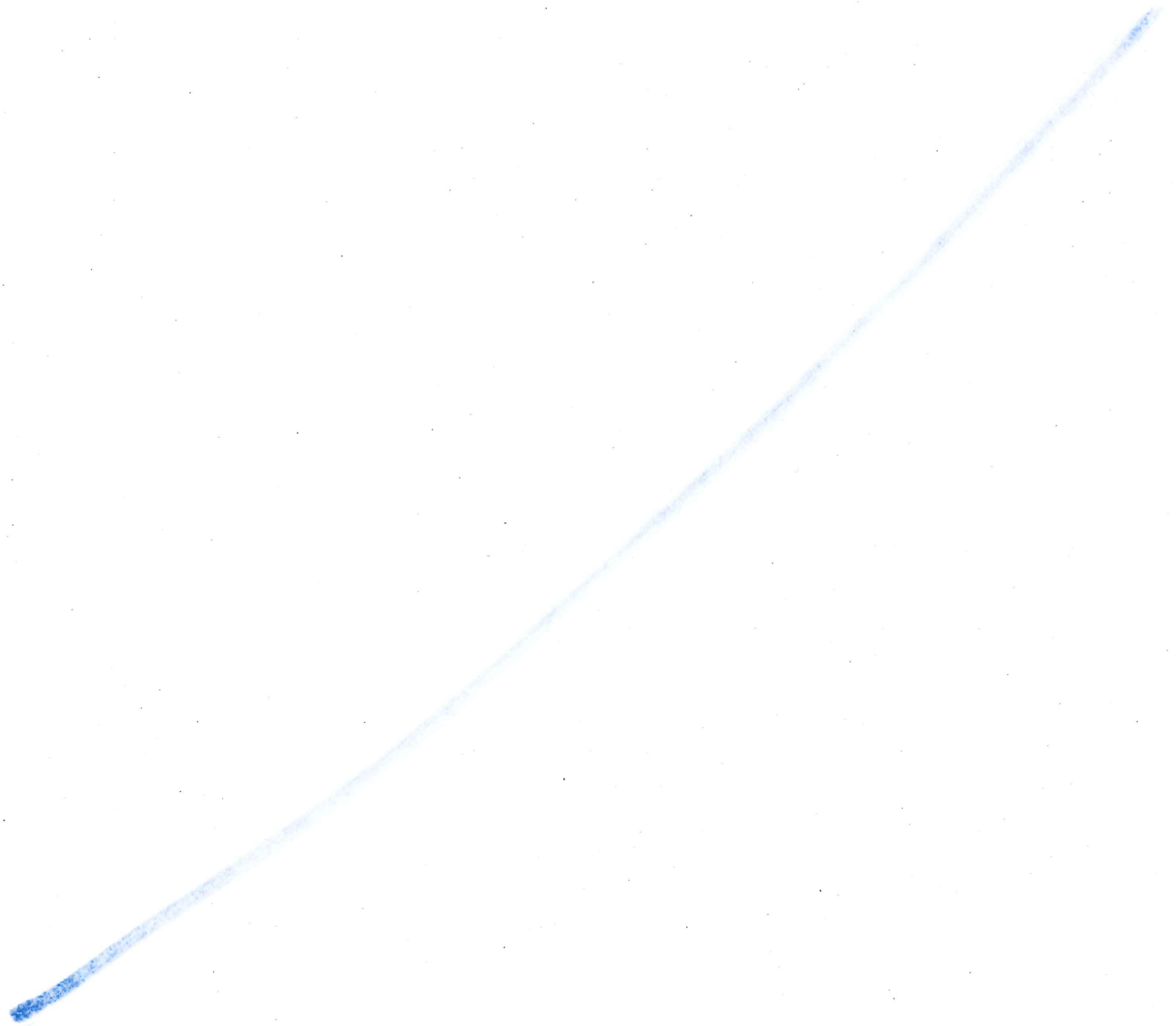
- 9 1. POLICE OFFICER OR OTHER LAW ENFORCEMENT OFFICER WHILE IN THE PERFORMANCE OF
10 OFFICIAL DUTY FOR THE UNITED STATES GOVERNMENT, A STATE GOVERNMENT OR A
11 LOCAL SUBDIVISION OF A STATE;
- 12 2. A PERSON WHOM THE OFFICER SUMMONS TO HELP IN MAKING AN ARREST OR IN
13 PRESERVING THE PEACE;
- 14 3. AN EMPLOYEE OF A UNIT OF COUNTY GOVERNMENT WHO IS REQUIRED TO CARRY A GUN AS
15 A CONDITION OF EMPLOYMENT OR TO TRANSPORT OR OTHERWISE HANDLE A GUN OR
16 DANGEROUS WEAPON WITHIN THE SCOPE OF THE EMPLOYEE'S EMPLOYMENT
17 RESPONSIBILITIES; AND
- 18 4. AN INDIVIDUAL WHO HANDLES AN UNLOADED GUN OR DANGEROUS WEAPON:
 - 19 (I) WHILE ACTING AS A CURATOR, CONSERVATOR, DOCENT, OR HISTORICAL
20 REENACTOR, OR IN A SIMILAR ROLE; AND
 - 21 (II) WHILE UNDER THE DIRECTION OR CONTROL OF, OR WITH PERMISSION FROM, THE
22 DEPARTMENT OF RECREATION AND PARKS OR ANOTHER DEPARTMENT THAT:
 - 23 1. OPERATES A MUSEUM; OR
 - 24 2. CONDUCTS A PROGRAM THAT IS HISTORICAL OR EDUCATIONAL.

25
26 **Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that**
27 **the County shall develop and implement safety protocols for the George Howard Building, to**
28 **include, but not be limited to, the installation of a magnetometer or equivalent security protocol,**
29 **and that such implementation shall be completed by December 31, 2017.**
30

1 **Section 3. And Be It Further Enacted** by the County Council of Howard County, Maryland that
2 the Department of County Administration shall work with the Department of Police to develop
3 an on-going policy for determining which public buildings shall receive a security and
4 vulnerability assessment.

5
6 **Section 4. And Be it Further Enacted** by the County Council of Howard County, Maryland that
7 the Department of County Administration and the Department of Police shall update the security
8 and vulnerability assessment every 2 years after the initial enactment.”

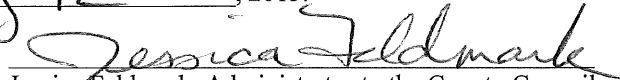
9
10 Renumber the remaining sections accordingly.



BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on

May 12, 2015.


Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2015.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2015.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2015.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2015.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2015.

Jessica Feldmark, Administrator to the County Council