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2016 MD S 653	Author: Norman Version: Introduced Version Date: 02/05/2016
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SENATE BILL 653

By: **Senators Norman and Astle**

Introduced and read first time: February 5, 2016

Assigned to: Judicial Proceedings

A BILL ENTITLED

AN ACT concerning

Public Safety - Knife Restrictions - State Preemption

FOR the purpose of establishing that the State preempts the right of a county, municipal corporation, or special taxing district to regulate knives in a certain manner; authorizing a county, municipal corporation, or special taxing district to enact a local law or ordinance to regulate knives under certain circumstances; establishing that a certain local law may not be enforced; defining a certain term; and generally relating to the regulation of knives.

BY adding to

Article - Criminal Law

Section 4-111

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Law

4-111.

(A) IN THIS SECTION, " KNIFE" MEANS A CUTTING INSTRUMENT THAT INCLUDES A SHARPENED OR POINTED BLADE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE STATE PREEMPTS THE RIGHT OF A COUNTY, MUNICIPAL CORPORATION, OR SPECIAL TAXING DISTRICT TO REGULATE THE PURCHASE, SALE, TAXATION, TRANSFER, MANUFACTURE, REPAIR, POSSESSION, AND TRANSPORTATION OF A KNIFE.

(C) IF AUTHORIZED BY A PROVISION OF LAW, A COUNTY, MUNICIPAL CORPORATION, OR SPECIAL TAXING DISTRICT MAY ENACT A LAW OR AN ORDINANCE REGULATING KNIVES IF THE LAW OR ORDINANCE:

(1) IS NOT MORE RESTRICTIVE THAN STATE LAW; AND

(2) DOES NOT HAVE A CRIMINAL PENALTY THAT IS GREATER THAN THE STATE PENALTY FOR A SIMILAR OFFENSE.

(D) A LOCAL LAW REGULATING KNIVES THAT EXISTED BEFORE OCTOBER 1, 2016, MAY NOT BE ENFORCED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

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