

section, the reference to an officer of a "county or municipal corporation" entitled to wear a dangerous weapon, which is substituted for the former reference to an officer of a "county or city" so entitled, does not appear to include a law enforcement officer of a special taxing district such as Crofton, and may not include a law enforcement officer of a multicounty unit such as the Maryland-National Capital Park and Planning Commission. The General Assembly may wish to address the scope of law enforcement or other officers who are exempt from this section but are not employed by a State unit or a county or municipal corporation.

The Criminal Law Article Review Committee also notes, for the consideration of the General Assembly, that in subsection (b)(2) of this section, it is unclear whether the reference to a "special agent of a railroad" who is entitled to wear a dangerous weapon denotes a "Maryland railroad police officer" appointed under Art. 23, §§ 256 through 266 or some other class of railroad agent.

The Criminal Law Article Review Committee also notes, for the consideration of the General Assembly, that the crimes established in subsection (c)(3) and (4) of this section apply only to minors, although they are not characterized as delinquent acts. It appears from the statute that these crimes would be prosecuted in criminal rather than juvenile court, although in practice they apparently are not.

The Criminal Law Article Review Committee also notes, for the consideration of the General Assembly, that in subsection (d)(1) of this section, the penalty for anyone carrying a concealed dangerous weapon is either imprisonment not exceeding 3 years or a fine not exceeding \$1,000 *but not both*. However, the penalty for a minor carrying pepper mace under subsection (d)(2) of this section is imprisonment not exceeding 3 years or a fine not exceeding \$1,000 *or both*. The General Assembly may wish to address the disparity between these sentences.

Defined terms: "County" § 1-101

"Minor" § 1-101

"Person" § 1-101

"State" § 1-101

4-102. DEADLY WEAPONS ON SCHOOL PROPERTY.

(A) EXCEPTIONS.

THIS SECTION DOES NOT APPLY TO:

(1) A LAW ENFORCEMENT OFFICER IN THE REGULAR COURSE OF THE OFFICER'S DUTY;

(2) A PERSON HIRED BY A COUNTY BOARD OF EDUCATION SPECIFICALLY FOR THE PURPOSE OF GUARDING PUBLIC SCHOOL PROPERTY;

(3) A PERSON ENGAGED IN ORGANIZED SHOOTING ACTIVITY FOR EDUCATIONAL PURPOSES; OR