

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Bill No. CB-19-2020

Chapter No. 21

Proposed and Presented by The Council Chair (by request – County Executive)

Introduced by Council Members Turner, Harrison, Hawkins, Dernoga, Glaros
and Franklin

Date of Introduction June 16, 2020

BILL

1 AN ACT concerning

2 Weapons

3 For the purpose of repealing and reenacting with amendments the requirement that a person
 4 obtain a written permit from the Department of Permitting, Inspections and Enforcement (DPIE).

5 BY repealing:

6 SUBTITLE 14 MORALS AND CONDUCT.

7 Sections 14-140 and 14-142

8 The Prince George's County Code

9 (2019 Edition).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 11 Maryland, that Sections 14-140 and 14-142 of the Prince George's County Code be and the same
 12 are hereby repealed and reenacted with the following amendments:

13 **SUBTITLE 14. MORALS AND CONDUCT.**

14 **DIVISION 6. WEAPONS.**

15 **Sec. 14-140. Loaded weapons prohibited; exceptions.**

16 (a) No person shall discharge or have in his possession, while loaded, any firearm, rifle,
 17 shotgun, revolver, pistol, air gun, air rifle or any similar mechanism by whatever name know,
 18 which is designed to expel a projectile through a gun barrel by the action of any explosive, gas,
 19 compressed air, spring or elastic, within one thousand feet (1,000') of any home or residence,
 20 other than his own, or any school or school grounds (private or public), church or church
 21 grounds, places of public assembly, public parks and playgrounds within the County, whether the

1 | weapon is loaded with blank or live cartridges or projectiles of any kind.

2 | (b) This Section shall not prohibit the owner or tenant of any land from discharging such
3 | described weapons on his land for the purpose of the protection of his own property or the life of
4 | himself or his family, or killing predatory animals which prey upon, damage or destroy his
5 | property, livestock or crops. [This Section shall not apply to the discharging of such weapons
6 | where a permit has been issued by the Department of Permitting, Inspections, and Enforcement.]

7 | * * * * *

8 | **Sec. 14-142. – Discharge of firearms; permit; exceptions; penalty.**

9 | (a) No person shall practice shooting at any mark, board, sign, tree, bank, or other object
10 | with any gun, rifle, cannon, mortar, pistol, or other firearm within the limits of this County,
11 | whether on land or water, for military drill, amusement, or skill, without:

12 | (1) Obtaining in writing the consent to so use any such firearms of all owners,
13 | tenants, or occupants of real estate residing within the carrying capacity of such firearms(.); and

14 | (2) First obtaining a written permit from the Department of Permitting, Inspections,
15 | and Enforcement. The petition shall be accompanied with the written consent of each and every
16 | such owner, tenant, or other occupant. The Department shall in no case grant a permit to practice
17 | with firearms if in its opinion the use of the public highways or streets of any real estate
18 | subdivision will be endangered by the use of such firearms.]

19 | (b) It shall be unlawful for any person to fire or discharge any firearm defined in
20 | Subsection (a) wherein the projectile or projectiles traverse the property of another without
21 | obtaining the consent of the owner, tenant, or occupant of the subject property.

22 | (c) This Section shall not apply to the firing or discharge of any firearm defined in
23 | Subsection (a):

24 | (1) By the United States Government, where such practice is conducted under the
25 | established rule or regulation of the United States Department of Defense or any of its agencies;

26 | (2) By any law enforcement officer in the performance of official duty;

27 | (3) On a bona fide rifle, pistol, or shotgun range regulated pursuant to Section 27-404
28 | of the Prince George's County Code and Section 36(H)(d) of Article 27 of the Maryland
29 | Annotated Code;

30 | (4) In the defense of a person's life; and

31 | (5) By licensed hunters lawfully hunting in season as authorized pursuant to the

1 Department of Natural Resources of the State of Maryland.

2 (d) For purposes of Subsections 14-142(c)(3) and 14-142(c)(5), nothing in this Section
3 shall authorize any person to fire or discharge any firearm defined in Subsection (a) wherein the
4 projectile or projectiles traverse the property of another without obtaining the consent of the
5 owner, tenant, or occupant of the subject property.

6 (e) It shall be unlawful for any person to organize an event consisting of one or more
7 person(s) for the purposes set forth in Subsection (a), unless such person(s) has complied with
8 the requirements of Subsection (a).

9 (f) It shall be unlawful for any owner, tenant, or occupant of property to knowingly
10 consent to the firing or discharge of any firearm defined in Subsection (a) by any person(s) on
11 such property, unless such person(s) has complied with the requirements of Subsection (a).

12 (g) Violation of the provisions of this Section is a misdemeanor and is punishable, upon
13 conviction, by a fine not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment, not
14 to exceed six (6) months, or both.

15 * * * * *

16 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
17 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
18 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
19 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
20 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
21 Act, since the same would have been enacted without the incorporation in this Act of any such
22 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
23 or section.

24 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
25 calendar days after it becomes law.

Adopted this 14th day of July, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.
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