

10 AN ACT CONCERNING

20 **Juvenile Law - School Property - Prohibition Of Portable Pagers- Repeal**

30 FOR the purpose of repealing a prohibition against the possession of portable pagers on public school
40 property; and declaring the intent of the General Assembly.

50 BY repealing
60 Article - Education
70 Section 26-104
80 Annotated Code of Maryland
90 (1999 Replacement Volume and 2000 Supplement)

100 SECTION 1. BE IT ENACTED BY THE STUDENT LEGISLATURE OF MARYLAND, That the Laws
110 of Maryland read as follows:

120 **Article - Education**

130 26-104.

140 (a) ~~(1) In this section the following words have the meanings indicated.~~

150 ~~(2) "Portable pager" means any device carried, worn, or transported by an individual~~
160 ~~to receive or communicate messages.~~

170 ~~(3) "Public school property" means the grounds of any public school.~~

180 ~~(b) Except as provided in subsection (c) of this section, an individual may not possess a~~
190 ~~portable pager on public school property.~~

200 (c) ~~This section does not apply to:~~

210 ~~(1) Handicapped students using portable pagers for medical reasons;~~

220 ~~(2) Law enforcement officers;~~

230 ~~(3) Visitors on public school property for an authorized program, meeting, or~~
240 ~~function;~~

240 ~~(4) Faculty or staff members employed by a county board;~~

250 ~~(5) Members of any volunteer fire department, ambulance company, or rescue~~
260 ~~squad, who are designated to possess a portable pager on public school property by the~~
270 ~~chief of the volunteer fire department, ambulance company, or rescue squad, and the~~
280 ~~school principal; and~~

290 ~~(6) Students whose portable pagers are contained in vehicles that are on public~~
300 ~~school property and are not found to be connected with criminal activity.~~

310 (d) ~~If an individual violates subsection (b) of this section, the school authorities:~~

320 ~~(1) On a first offense, may contact a law enforcement officer; and~~

330 ~~(2) On a second or subsequent offense, shall immediately contact a law enforcement~~
340 ~~officer.~~

350 ~~(e) — A law enforcement officer contacted by school authorities in accordance with subsection~~
360 ~~(d) of this section:~~

370 ~~(1) — Shall immediately inquire as to the reasons the individual possesses the pager;~~
380 ~~and~~

390 ~~(2) — May arrest the violator.~~

400 ~~(f) — Any person who violates subsection (b) of this section is guilty of a misdemeanor and on~~
410 ~~conviction is subject to a fine not exceeding \$2,500, imprisonment not exceeding 6~~
420 ~~months, or both.~~

430 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that local
440 education agencies, working with the State Department of Education, develop their own local policies
450 regarding the use of portable pagers and cellular telephones on public school property during school hours
460 and, in enacting Section 1 of this Act, it is not the intent of the General Assembly to encourage the use of
470 portable pagers and cellular telephones on public school property during
480 school hours.

490 SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2001.

Sondra Hellstrom
Wolman #4044
3339 N. Charles St.
Baltimore, MD 21218
(410) 516-3778
SondraH@jhu.edu