

Chapter 430

(Senate Bill 775)

AN ACT concerning

Public Safety – Gun Buyback Programs – Destruction of Firearms

FOR the purpose of requiring a federal firearms licensee or law enforcement agency operating a gun buyback program to destroy each firearm, including all components and parts attached to the firearm, that is traded in at a certain gun buyback program; authorizing a federal firearms licensee or law enforcement agency to contract with a law enforcement agency or a business to destroy certain firearms; requiring the Secretary of State Police to revoke a certain person’s dealer’s license if the person violates the provisions of this Act; prohibiting a person from operating a gun buyback program except in accordance with certain requirements; requiring a law enforcement agency operating a gun buyback program to make reasonable efforts to determine whether a firearm is a crime firearm or has been reported lost or stolen before the firearm or its component parts may be destroyed; and generally relating to gun buyback programs.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–114(b)
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

BY adding to
Article – Public Safety
Section 5–901 through 5–905 to be under the new subtitle “Subtitle 9. Gun Buyback Programs”
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

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

Article – Public Safety

5–114.

(b) The Secretary shall revoke a dealer’s license if:

(1) it is discovered that false information has been supplied or false statements have been made in an application required by this subtitle; or

(2) the licensee:

- (i) is convicted of a disqualifying crime;
- (ii) is convicted of a violation classified as a common law crime and receives a term of imprisonment of more than 2 years;
- (iii) is a fugitive from justice;
- (iv) is a habitual drunkard;
- (v) is addicted to a controlled dangerous substance or is a habitual user;
- (vi) has spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless the licensee produces a physician's certificate, issued after the last institutionalization and certifying that the licensee is capable of possessing a regulated firearm without undue danger to the licensee or to another;
- (vii) has knowingly or willfully manufactured, offered to sell, or sold a handgun not on the handgun roster in violation of § 5-406 of this title;
- (viii) has knowingly or willfully participated in a straw purchase of a regulated firearm;
- (ix) is convicted of a crime under Subtitle 7 of this title; [or]
- (x) is found in violation of a third or subsequent offense under § 5-145.1 of this subtitle; **OR**

(XI) VIOLATES SUBTITLE 9 OF THIS TITLE.

SUBTITLE 9. GUN BUYBACK PROGRAMS.

5-901.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "FIREARM" HAS THE MEANING STATED IN § 5-101 OF THIS TITLE.

(C) "GUN BUYBACK PROGRAM" MEANS A PROGRAM THAT IS OPERATED BY A FEDERAL FIREARMS LICENSEE OR A LAW ENFORCEMENT AGENCY THAT:

(1) ALLOWS FIREARM OWNERS TO VOLUNTARILY SURRENDER FIREARMS;

(2) IS OPERATED, EITHER EXPLICITLY OR IMPLIEDLY, FOR THE PURPOSE OF REDUCING THE NUMBER OF FIREARMS IN A COMMUNITY; AND

(3) ADVERTISES THAT FIREARMS THAT ARE SURRENDERED TO THE PROGRAM WILL BE DESTROYED OR MADE PERMANENTLY INOPERABLE.

(D) "SECRETARY" HAS THE MEANING STATED IN § 5-101 OF THIS TITLE.

5-902.

(A) THIS SECTION DOES NOT APPLY TO A FIREARM IF A LAW ENFORCEMENT AGENCY DETERMINES THAT THE FIREARM IS STOLEN OR IS EVIDENCE OF A CRIME.

(B) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A FEDERAL FIREARMS LICENSEE OR LAW ENFORCEMENT AGENCY OPERATING A GUN BUYBACK PROGRAM SHALL DESTROY EACH FIREARM, INCLUDING EVERY COMPONENT AND PART ATTACHED TO THE FIREARM, THAT IS SURRENDERED TO THE FEDERAL FIREARMS LICENSEE OR LAW ENFORCEMENT AGENCY AT A GUN BUYBACK PROGRAM.

(II) THE DESTRUCTION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL MAKE THE FIREARM AND EVERY COMPONENT AND PART ATTACHED TO THE FIREARM PERMANENTLY INOPERABLE AND UNREPAIRABLE.

(2) A FEDERAL FIREARMS LICENSEE OR LAW ENFORCEMENT AGENCY MAY CONTRACT WITH A LAW ENFORCEMENT AGENCY OR A BUSINESS TO SATISFY THE REQUIREMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(C) A FEDERAL FIREARMS LICENSEE OR LAW ENFORCEMENT AGENCY THAT VIOLATES THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000 PER VIOLATION.

(D) IF A PERSON VIOLATES THIS SECTION AND THE PERSON HOLDS A DEALER'S LICENSE UNDER § 5-106 OF THIS TITLE:

(1) THE PERSON SHALL BE SUBJECT TO THE PENALTY PROVIDED IN SUBSECTION (C) OF THIS SECTION; AND

(2) THE SECRETARY SHALL REVOKE THE PERSON'S DEALER'S LICENSE IN ACCORDANCE WITH § 5-114 OF THIS TITLE.

5-903.

(A) A PERSON MAY NOT OPERATE A GUN BUYBACK PROGRAM EXCEPT IN ACCORDANCE WITH § 5-902 OF THIS SUBTITLE.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000.

5-904.

A LAW ENFORCEMENT AGENCY THAT RECEIVES A FIREARM AS PART OF A GUN BUYBACK PROGRAM UNDER THIS SUBTITLE SHALL MAKE REASONABLE EFFORTS, INCLUDING A CHECK OF THE NATIONAL CRIME INFORMATION CENTER DATABASE, TO DETERMINE WHETHER THE FIREARM IS A CRIME FIREARM OR HAS BEEN REPORTED AS LOST OR STOLEN BEFORE THE FIREARM OR ITS COMPONENT PARTS MAY BE DESTROYED AS REQUIRED UNDER § 5-902 OF THIS SUBTITLE.

5-905.

NOTHING IN THIS SUBTITLE MAY BE INTERPRETED AS AN EXCEPTION TO ANY OTHER REQUIREMENT OR RESTRICTION UNDER STATE OR FEDERAL LAW RELATING TO THE PURCHASE, RENTAL, LOAN, OR TRANSFER OF A FIREARM.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, May 12, 2026.