

HOUSE BILL 39

E4
HB 715/14 – JUD

(PRE-FILED)

5lr0409
CF SB 736

By: ~~Delegate Schulz~~ Delegates S. Howard, Saab, Simonaire, McConkey, Kipke, Kittleman, Shoemaker, Metzgar, Buckel, Hornberger, Beitzel, Mautz, Carozza, Krebs, O'Donnell, B. Wilson, Ciliberti, McComas, Szeliga, Jacobs, Chang, Folden, and Carey

Requested: September 30, 2014

Introduced and read first time: January 14, 2015

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: April 8, 2015

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Handgun Identification Requirements – Repeal**

3 FOR the purpose of repealing a provision of law requiring certain firearms manufacturers
4 and dealers and the Department of State Police to take certain actions relating to
5 identification of handguns; authorizing the Department of State Police to dispose of
6 certain shell casings; declaring the intent of the General Assembly; and generally
7 relating to handgun identification requirements.

8 BY repealing

9 Article – Public Safety

10 Section 5–131

11 Annotated Code of Maryland

12 (2011 Replacement Volume and 2014 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 **[5–131.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

2 (2) "Manufacturer" means a person who possesses a federal license to
3 engage in the business of manufacturing firearms or ammunition for sale or distribution.

4 (3) "Projectile" means the part of handgun ammunition that is expelled
5 through the barrel of the handgun by an explosion.

6 (4) "Shell casing" means the part of handgun ammunition that contains the
7 primer and propellant powder to discharge the projectile.

8 (b) A manufacturer that ships or transports a handgun for sale, rental, or transfer
9 in the State shall include in the box with the handgun in a separate, sealed container:

10 (1) a shell casing of a projectile discharged from the handgun; and

11 (2) additional information that the Secretary requires to identify the type
12 of handgun and shell casing.

13 (c) (1) On receipt of a handgun from a manufacturer, the dealer shall confirm
14 to the Department of State Police that the manufacturer has complied with subsection (b)
15 of this section.

16 (2) On the sale, rental, or transfer of the handgun, the dealer shall forward
17 the sealed container to the Department of State Police Crime Laboratory.

18 (d) On receipt of a shell casing and information as required in subsection (b) of
19 this section, the Department of State Police Crime Laboratory shall enter the information
20 in each relevant database.]

21 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of State
22 Police may properly and lawfully dispose of any shell casings that are being held in storage
23 because they were received from a dealer under the provisions of § 5-131 of the Public
24 Safety Article.

25 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General
26 Assembly that the positions within the Department of State Police that were associated
27 with the duties under § 5-131 of the Public Safety Article not be eliminated as a result of
28 the repeal of § 5-131 of the Public Safety Article in Section 1 of this Act.

29 SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2015.