

HOUSE BILL 59

E4
HB 317/16 – JUD

(PRE-FILED)

7lr0911

By: **Delegate S. Howard**

Requested: October 19, 2016

Introduced and read first time: January 11, 2017

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Assault Weapons – Replacements**

3 FOR the purpose of authorizing a person to replace a lost or broken assault weapon that
4 the person lawfully possessed in accordance with certain provisions of law if the
5 replacement is registered with the Secretary of State Police; and generally relating
6 to assault weapons.

7 BY repealing and reenacting, with amendments,

8 Article – Criminal Law

9 Section 4–303

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2016 Supplement)

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

14 **Article – Criminal Law**

15 4–303.

16 (a) Except as provided in subsection (b) of this section, a person may not:

17 (1) transport an assault weapon into the State; or

18 (2) possess, sell, offer to sell, transfer, purchase, or receive an assault
19 weapon.

20 (b) (1) A person who lawfully possessed an assault pistol before June 1, 1994,
21 and who registered the assault pistol with the Secretary of State Police before August 1,
22 1994, may:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) continue to possess and transport the assault pistol; or

2 (ii) while carrying a court order requiring the surrender of the
3 assault pistol, transport the assault pistol directly to the law enforcement unit, barracks,
4 or station if the person has notified the law enforcement unit, barracks, or station that the
5 person is transporting the assault pistol in accordance with a court order and the assault
6 pistol is unloaded.

7 (2) A licensed firearms dealer may continue to possess, sell, offer for sale,
8 or transfer an assault long gun or a copycat weapon that the licensed firearms dealer
9 lawfully possessed on or before October 1, 2013.

10 (3) A person who lawfully possessed, has a purchase order for, or completed
11 an application to purchase an assault long gun or a copycat weapon before October 1, 2013,
12 may:

13 (i) possess and transport the assault long gun or copycat weapon; or

14 (ii) while carrying a court order requiring the surrender of the
15 assault long gun or copycat weapon, transport the assault long gun or copycat weapon
16 directly to the law enforcement unit, barracks, or station if the person has notified the law
17 enforcement unit, barracks, or station that the person is transporting the assault long gun
18 or copycat weapon in accordance with a court order and the assault long gun or copycat
19 weapon is unloaded.

20 (4) A person may transport an assault weapon to or from:

21 (i) an ISO 17025 accredited, National Institute of Justice–approved
22 ballistics testing laboratory; or

23 (ii) a facility or entity that manufactures or provides research and
24 development testing, analysis, or engineering for personal protective equipment or vehicle
25 protection systems.

26 **(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON MAY**
27 **REPLACE A LOST OR BROKEN ASSAULT WEAPON THAT THE PERSON LAWFULLY**
28 **POSSESSED IN ACCORDANCE WITH SUBSECTION (B)(1), (2), OR (3) OF THIS SECTION**
29 **IF THE REPLACEMENT IS REGISTERED WITH THE SECRETARY OF STATE POLICE.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2017.