

HOUSE BILL 774

E4

9lr2857
CF SB 622

By: **Delegate Bartlett**

Introduced and read first time: February 8, 2019

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 2019

CHAPTER _____

1 AN ACT concerning

2 ~~Office of the Attorney General~~

3 Governor's Office of Crime Control and Prevention – Crime Firearms – Study

4 FOR the purpose of requiring the ~~Office of the Attorney General~~ Governor's Office of Crime
5 Control and Prevention to study and compile information regarding certain matters
6 that relate to certain firearms ~~used in the commission of certain crimes~~; requiring
7 the ~~Maryland~~ Department of State Police to provide certain information for the
8 study; requiring the ~~Office of the Attorney General~~ Governor's Office of Crime
9 Control and Prevention to report its findings to the Governor and the General
10 Assembly on or before a certain date; providing for the termination of this Act;
11 defining a certain term; and generally relating to ~~crime~~ firearms.

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

13 That:

14 (a) In this section, "crime firearm" means a firearm that is:

15 (1) used in the commission of a crime of violence, as defined in § 5–101 of
16 the Public Safety Article; or

17 (2) recovered by law enforcement in connection ~~to an~~ with illegal firearm
18 possession, transportation, or transfer.

19 (b) The ~~Office of the Attorney General~~ Governor's Office of Crime Control and
20 Prevention shall:

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 (1) study information regarding crime firearms in the State, including:
- 2 (i) the number and types of crime firearms;
- 3 (ii) the ~~known~~ sources of the crime firearms, including the
4 ~~manufacturer~~, importer, dealer, and first purchaser for all recovered crime firearms; and
- 5 (iii) the jurisdictions where crime firearms were recovered;
- 6 (2) ~~study~~ report the crimes committed with crime firearms by jurisdiction,
7 including:
- 8 (i) the number of charges and convictions for:
- 9 1. crimes of violence;
- 10 2. illegal transfers;
- 11 3. illegal possession; ~~and~~
- 12 4. illegal transportation; and
- 13 5. straw purchases; and
- 14 (ii) the number and types of ~~other~~ criminal charges associated with
15 a crime firearm;
- 16 (3) compile all available information and data regarding the ~~known sources~~
17 source of crime firearms, including:
- 18 (i) for out-of-state crime firearms:
- 19 1. the country, state, or city of origin; and
- 20 2. the location in the State where the crime firearm was
21 recovered;
- 22 (ii) for ~~in-state~~ in-State crime firearms:
- 23 1. the jurisdiction of origin; and
- 24 2. the location where the crime firearm was recovered;
- 25 (iii) information on the top 10 ~~licensed~~ dealers of crime firearms in
26 the State, including:

1 1. names;

2 2. locations; and

3 3. the dates and outcomes of audits conducted by the
4 Maryland State Police of the ~~licensed~~ dealers; and

5 (iv) ~~information on~~ the 10 states where the most crime firearms ~~were~~
6 recovered in the State originated, including a comparison of the other states' firearms laws
7 regarding:

8 1. licensing;

9 2. background checks;

10 3. waiting periods;

11 4. straw purchases; and

12 5. ~~safe storage laws~~ concealed carry laws;

13 (4) collect information on the length of time between the origination and
14 recovery of a crime firearm ~~and the crime firearm being recovered~~; and

15 (5) gather information regarding whether the individuals found in
16 possession of crime firearms, ~~including~~:

17 ~~(i) age;~~

18 ~~(ii) jurisdiction of residence;~~

19 ~~(iii) jurisdiction where charged; and~~

20 ~~(iv) whether the individual was~~ were previously prohibited from
21 possessing a firearm.

22 (c) The ~~Maryland~~ Department of State Police shall provide the ~~Office of the~~
23 ~~Attorney General~~ Governor's Office of Crime Control and Prevention with any and all
24 information necessary to complete ~~the this study required under this section.~~

25 (d) On or before December 1, 2020, the ~~Office of the Attorney General~~ Governor's
26 Office of Crime Control and Prevention shall report its findings to the Governor and, in
27 accordance with § 2-1246 of the State Government Article, the General Assembly.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2019. It shall remain effective for a period of 1 year and 3 months and, at the

HOUSE BILL 774

1 end of December 31, 2020, this Act, with no further action required by the General
2 Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.