

SENATE BILL 346

E4
SB 860/18 – JPR

9lr0967

By: **Senators Ferguson, Elfreth, Ellis, Feldman, Guzzone, Kelley, Rosapepe, Smith, Washington, West, and Young**

Introduced and read first time: January 30, 2019

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Regulated Firearms – Transfer**

3 FOR the purpose of providing that, for certain purposes, the term “transfer” includes a loan
4 other than a certain exchange of a regulated firearm between two individuals under
5 certain circumstances; and generally relating to regulated firearms.

6 BY repealing and reenacting, with amendments,

7 Article – Public Safety

8 Section 5–124

9 Annotated Code of Maryland

10 (2018 Replacement Volume)

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

13 **Article – Public Safety**

14 5–124.

15 **(A) IN THIS SECTION, “TRANSFER” INCLUDES A LOAN OTHER THAN A**
16 **TEMPORARY GRATUITOUS EXCHANGE OF A REGULATED FIREARM BETWEEN TWO**
17 **INDIVIDUALS WHO REMAIN IN THE SAME LOCATION FOR THE DURATION OF THE**
18 **EXCHANGE.**

19 **[(a)] (B) (1)** A person who is not a licensee may not sell, rent, transfer, or
20 purchase a regulated firearm until after 7 days following the time a firearm application is
21 executed by the firearm applicant, in triplicate, and the original is forwarded by a licensee
22 to the Secretary.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) As an alternative to completing a secondary sale of a regulated firearm
2 through a licensee, a prospective seller, lessor, or transferor and a prospective purchaser,
3 lessee, or transferee may complete the transaction through a designated law enforcement
4 agency.

5 **[(b)] (C)** A firearm applicant for a secondary sale of a regulated firearm through
6 a licensee shall pay to the licensee a processing fee not exceeding \$20.

7 **[(c)] (D)** A person shall complete the sale, rental, or transfer of a regulated
8 firearm within 90 days after the firearm application was stamped by the Secretary as not
9 being disapproved.

10 **[(d)] (E)** (1) If the sale, rental, or transfer of a regulated firearm is not
11 completed within 90 days after the firearm application was stamped by the Secretary as
12 not being disapproved, a person shall return the firearm application to the Secretary within
13 7 days.

14 (2) The Secretary shall void a firearm application returned under
15 paragraph (1) of this subsection as an incomplete sale, rental, or transfer.

16 **[(e)] (F)** (1) (i) A person who sells, rents, or transfers a regulated firearm
17 in compliance with this subtitle shall forward a copy of the written notification of the
18 completed transaction to the Secretary within 7 days after delivery of the regulated firearm.

19 (ii) The notification shall contain an identifying description of the
20 regulated firearm, including its caliber, make, model, any manufacturer's serial number,
21 and any other special or peculiar characteristic or marking by which the regulated firearm
22 may be identified.

23 (2) The Secretary shall maintain a permanent record of all notifications
24 received of completed sales, rentals, and transfers of regulated firearms in the State.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2019.