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By: **Delegate Menes**  
Introduced and read first time: January 27, 2003  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Regulated Firearms - Dealers - Security Standards for Places of Business**

3 FOR the purpose of requiring the Secretary of State Police or the Secretary's designee  
4 to adopt standards to ensure that the place of business of a dealer in regulated  
5 firearms is operated in a secure manner; authorizing the Secretary or designee  
6 to require a dealer to install certain devices and to conduct a certain inventory;  
7 authorizing standards to be different for different licensees; requiring a licensee  
8 to comply with the standards; making a licensee who violates the compliance  
9 requirement subject to license suspension or revocation; and generally relating  
10 to dealers in regulated firearms.

11 BY repealing and reenacting, without amendments,  
12 Article - Public Safety  
13 Section 5-101(a), (o), and (s) and 5-106(a)  
14 Annotated Code of Maryland  
15 (As enacted by Chapter \_\_\_\_\_(S.B. 1) of the Acts of the General Assembly of  
16 2003)

17 BY adding to  
18 Article - Public Safety  
19 Section 5-113.1  
20 Annotated Code of Maryland  
21 (As enacted by Chapter \_\_\_\_\_(S.B. 1) of the Acts of the General Assembly of  
22 2003)

23 BY repealing and reenacting, with amendments,  
24 Article - Public Safety  
25 Section 5-114  
26 Annotated Code of Maryland  
27 (As enacted by Chapter \_\_\_\_\_(S.B. 1) of the Acts of the General Assembly of  
28 2003)

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

3 **Article - Public Safety**

4 5-101.

5 (a) In this subtitle the following words have the meanings indicated.

6 (o) "Licensee" means a person who holds a dealer's license.

7 (s) "Secretary" means the Secretary of State Police or the Secretary's  
8 designee.

9 5-106.

10 (a) A person must lawfully possess a dealer's license issued by the Secretary  
11 before the person engages in the business of selling, renting, or transferring regulated  
12 firearms.

13 5-113.1.

14 (A) BY REGULATION, THE SECRETARY SHALL ADOPT STANDARDS TO ENSURE  
15 THAT A LICENSEE'S PLACE OF BUSINESS IS OPERATED IN A SECURE MANNER.

16 (B)(1) THE STANDARDS MAY REQUIRE A LICENSEE TO INSTALL:

17 (I) SAFES FOR THE STORAGE OF HANDGUNS;

18 (II) CHAINS TO SECURE LONG GUNS;

19 (III) STANCHIONS PLACED AROUND THE PREMISES;

20 (IV) SECURITY SCREENS FOR WINDOWS AND DOORS;

21 (V) A SECURITY ALARM SYSTEM THAT NOTIFIES POLICE OF A  
22 BREAK-IN;

23 (VI) A BUZZER SYSTEM TO ADMIT PATRONS; OR

24 (VII) A VIDEO SURVEILLANCE SYSTEM.

25 (2) THE STANDARDS MAY REQUIRE A LICENSEE TO CONDUCT AN  
26 INVENTORY AT A REGULAR INTERVAL TO IDENTIFY MISSING REGULATED FIREARMS.

27 (C) THE SECRETARY MAY ADOPT DIFFERENT STANDARDS FOR DIFFERENT  
28 LICENSEES.

29 (D) A LICENSEE SHALL COMPLY WITH THE STANDARDS.

1 5-114.

2 (a) The Secretary shall suspend a dealer's license if the licensee:

3 (1) is under indictment for a crime of violence; or

4 (2) is arrested for a violation of this subtitle that prohibits the purchase  
5 or possession of a regulated firearm.

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

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

9 (2) the licensee:

10 (i) is convicted of a disqualifying crime;

11 (ii) is convicted of a violation classified as a common law crime and  
12 receives a term of imprisonment of more than 2 years;

13 (iii) is a fugitive from justice;

14 (iv) is a habitual drunkard;

15 (v) is addicted to a controlled dangerous substance or is a habitual  
16 user;

17 (vi) has spent more than 30 consecutive days in a medical  
18 institution for treatment of a mental disorder, unless the licensee produces a  
19 physician's certificate, issued after the last institutionalization and certifying that the  
20 licensee is capable of possessing a regulated firearm without undue danger to the  
21 licensee or to another;

22 (vii) has knowingly or willfully manufactured, offered to sell, or sold  
23 a handgun not on the handgun roster in violation of § 5-406 of this title; or

24 (viii) has knowingly or willfully participated in a straw purchase of a  
25 regulated firearm.

26 (c) THE SECRETARY MAY SUSPEND OR REVOKE A DEALER'S LICENSE IF THE  
27 LICENSEE VIOLATES § 5-113.1 OF THIS SUBTITLE.

28 (D) If the Secretary suspends or revokes a dealer's license, the Secretary shall  
29 notify the licensee in writing of the suspension or revocation.

30 [(d)] (E) A person whose dealer's license is suspended or revoked may not  
31 engage in the business of selling, renting, or transferring regulated firearms, unless  
32 the suspension or revocation has been subsequently withdrawn by the Secretary or  
33 overruled by a court in accordance with § 5-116 of this subtitle.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2003.