

# HOUSE BILL 519

E4  
HB 1328/10 – JUD

11r2217  
CF SB 929

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By: **Delegates Arora, Clippinger, Anderson, Carter, Conaway, Dumais, Frick, Lee, Luedtke, Mitchell, Niemann, Simmons, Sophocleus, Summers, Tarrant, Valderrama, Valentino-Smith, and Waldstreicher**

Introduced and read first time: February 7, 2011  
Assigned to: Judiciary

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 20, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Firearms – ~~Knowing~~ Violation of Specified Prohibitions – Ammunition and**  
3 **Penalty**

4 FOR the purpose of repealing a certain prohibition against the possession of  
5 ammunition solely designed for a regulated firearm by a person who is under a  
6 certain age; applying a certain penalty to ~~the knowing violation of a certain~~  
7 ~~prohibition against the possession of a regulated firearm or ammunition solely~~  
8 ~~designed for a regulated firearm by a person who is under a certain age, and to~~  
9 the knowing violation of a certain prohibition against obliterating, removing,  
10 changing, or altering the manufacturer's identification mark or number on a  
11 firearm; and generally relating to firearms violations.

12 BY repealing and reenacting, without amendments,  
13 Article – Public Safety  
14 Section ~~5-133(d)~~ and 5-142  
15 Annotated Code of Maryland  
16 (2003 Volume and 2010 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Public Safety  
19 Section ~~5-133(d)~~ and 5-143  
20 Annotated Code of Maryland  
21 (2003 Volume and 2010 Supplement)

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### 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 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 5–133.

5 (d) (1) Except as provided in paragraph (2) of this subsection, a person  
6 who is under the age of 21 years may not possess a regulated firearm ~~or ammunition~~  
7 ~~solely designed for a regulated firearm.~~

8 (2) Unless a person is otherwise prohibited from possessing a  
9 regulated firearm, this subsection does not apply to:

10 (i) the temporary transfer or possession of a regulated firearm  
11 ~~or ammunition solely designed for a regulated firearm~~ if the person is:

12 1. under the supervision of another who is at least 21  
13 years old and who is not prohibited by State or federal law from possessing a firearm;  
14 and

15 2. acting with the permission of the parent or legal  
16 guardian of the transferee or person in possession;

17 (ii) the transfer by inheritance of title, and not of possession, of  
18 a regulated firearm;

19 (iii) a member of the armed forces of the United States or the  
20 National Guard while performing official duties;

21 (iv) the temporary transfer or possession of a regulated firearm  
22 ~~or ammunition solely designed for a regulated firearm~~ if the person is:

23 1. participating in marksmanship training of a  
24 recognized organization; and

25 2. under the supervision of a qualified instructor;

26 (v) a person who is required to possess a regulated firearm for  
27 employment and who holds a permit under Subtitle 3 of this title; or

28 (vi) the possession of a firearm ~~or ammunition~~ for self-defense  
29 or the defense of others against a trespasser into the residence of the person in  
30 possession or into a residence in which the person in possession is an invited guest.

31 5–142.

1 (a) A person may not obliterate, remove, change, or alter the manufacturer’s  
2 identification mark or number on a firearm.

3 (b) If on trial for a violation of this section possession of the firearm by the  
4 defendant is established, the defendant is presumed to have obliterated, removed,  
5 changed, or altered the manufacturer’s identification mark or number on the firearm.

6 5–143.

7 (a) Except as otherwise provided in this subtitle, a dealer or other person  
8 may not:

9 (1) knowingly participate in the illegal sale, rental, transfer, purchase,  
10 possession, or receipt of a regulated firearm in violation of this subtitle; OR

11 (2) KNOWINGLY VIOLATE ~~§ 5–133(D) OR~~ § 5–142 OF THIS  
12 SUBTITLE.

13 (b) A person who violates this section is guilty of a misdemeanor and on  
14 conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding  
15 \$10,000 or both.

16 (c) Each violation of this section is a separate crime.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2011.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.