

SB0281/313327/1

BY: Senator Shank

AMENDMENTS TO SENATE BILL 281, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 9 of the bill, in line 14, strike “PERSON” and substitute “RESIDENT OF THE STATE”; in line 17, after “2013,” insert “OR A PERSON WHO BECOMES A RESIDENT OF THE STATE ON OR AFTER OCTOBER 1, 2013, AND WHO REGISTERS ANY ASSAULT LONG GUN OR COPYCAT WEAPON IN THE PERSON’S POSSESSION WITHIN 30 DAYS OF OBTAINING THE RESIDENCY,”; in line 18, after “POSSESS” insert “AND TRANSPORT”; in line 19, strike “OR”; and after line 19, insert:

“2. TRANSFER POSSESSION OF THE ASSAULT LONG GUN OR COPYCAT WEAPON TO, AND RECEIVE THE ASSAULT LONG GUN OR COPYCAT WEAPON FROM, A GUNSMITH FOR THE PURPOSE OF REPAIR OR MAINTENANCE;

3. SELL OR OTHERWISE TRANSFER OWNERSHIP OF THE ASSAULT LONG GUN OR COPYCAT WEAPON TO A PERSON LICENSED UNDER 18 U.S.C. § 923 OR;”.

AMENDMENT NO. 2

On page 3 of the Judicial Proceedings Committee Amendments (SB0281/628575/1), in line 3 of Amendment No. 4, strike “2.” and substitute “4.”; and in line 7, after “SUBSECTION.” insert:

“(C) (1) (i) THE TIME LIMITS IMPOSED BY THIS SECTION FOR THE REGISTRATION OF AN ASSAULT LONG GUN OR COPYCAT WEAPON SHALL BE TOLLED IF, AT THE TIME THE REGISTRATION REQUIREMENT AROSE, THE APPLICANT IS;

(Over)

1. ON ACTIVE DUTY IN THE UNITED STATES ARMED FORCES AND DEPLOYED OR PERMANENTLY STATIONED IN ANOTHER STATE OR COUNTRY;
2. TEMPORARILY RESIDING IN ANOTHER STATE OR COUNTRY AS A STUDENT;
3. INCAPACITATED BY ILLNESS OR PREGNANCY; OR
4. TRAVELING IN ANOTHER STATE OR COUNTRY.

(II) THE TOLLING OF THE TIME PERIODS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL CONTINUE FOR THE PERIOD DURING WHICH AN APPLICANT'S STATUS AS SPECIFIED IN SUBPARAGRAPH (I)1 THROUGH 4 OF THIS PARAGRAPH CONTINUES TO APPLY TO THE APPLICANT.

(2) (I) THE SECRETARY MAY NOT REFUSE OR DENY A REGISTRATION APPLICATION AS UNTIMELY IF THE APPLICANT CLAIMS ANY OF THE EXCEPTIONS IN PARAGRAPH (1) OF THIS SUBSECTION, AND THE APPLICATION MAY NOT BE USED IN A CRIMINAL PROSECUTION AS EVIDENCE THAT THE APPLICANT POSSESSED AN UNREGISTERED ASSAULT LONG GUN OR COPYCAT WEAPON.

(II) THE TOLLING OF THE REGISTRATION PERIOD IS AN AFFIRMATIVE DEFENSE TO A PROSECUTION FOR POSSESSION OF AN UNREGISTERED ASSAULT LONG GUN OR COPYCAT WEAPON.”.

AMENDMENT NO. 3

On page 33 of the bill, after line 24, insert:

(E) (1) (I) THE TIME LIMIT IMPOSED BY THIS SECTION FOR THE REGISTRATION OF A REGULATED FIREARM SHALL BE TOLLED IF, AT THE TIME THE REGISTRATION REQUIREMENT AROSE, THE APPLICANT IS:

1. ON ACTIVE DUTY IN THE UNITED STATES ARMED FORCES AND DEPLOYED OR PERMANENTLY STATIONED IN ANOTHER STATE OR COUNTRY;

2. TEMPORARILY RESIDING IN ANOTHER STATE OR COUNTRY AS A STUDENT;

3. INCAPACITATED BY ILLNESS OR PREGNANCY; OR

4. TRAVELING IN ANOTHER STATE OR COUNTRY.

(II) THE TOLLING OF THE TIME PERIODS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL CONTINUE FOR THE PERIOD DURING WHICH AN APPLICANT'S STATUS AS SPECIFIED IN SUBPARAGRAPH (I)1 THROUGH 4 OF THIS PARAGRAPH CONTINUES TO APPLY TO THE APPLICANT.

(2) (I) THE SECRETARY MAY NOT REFUSE OR DENY A REGISTRATION APPLICATION AS UNTIMELY IF THE APPLICANT CLAIMS ANY OF THE EXCEPTIONS IN PARAGRAPH (1) OF THIS SUBSECTION, AND THE APPLICATION MAY NOT BE USED IN A CRIMINAL PROSECUTION AS EVIDENCE THAT THE APPLICANT POSSESSED AN UNREGISTERED REGULATED FIREARM.

(II) THE TOLLING OF THE REGISTRATION PERIOD IS AN AFFIRMATIVE DEFENSE TO A PROSECUTION FOR POSSESSION OF AN UNREGISTERED REGULATED FIREARM.”.