

SENATE BILL 540

E4

3lr2035

By: **Senators Raskin, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Jones-Rodwell, King, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Young, and Zirkin**

Introduced and read first time: February 1, 2013

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Regulated Firearms – Reporting Lost or Stolen**

3 FOR the purpose of requiring certain persons who sell or transfer regulated firearms
4 to notify certain purchasers or recipients at the time of purchase or transfer
5 that the purchaser or recipient is required to report a lost or stolen regulated
6 firearm to a certain law enforcement agency; requiring the owner of a regulated
7 firearm to report the loss or theft of the regulated firearm to a certain law
8 enforcement agency within a certain period of time after the owner discovers
9 the loss or theft; requiring a law enforcement agency on receipt of a report of a
10 lost or stolen regulated firearm to enter certain information into a certain
11 database; establishing certain penalties; and generally relating to reports of lost
12 or stolen firearms.

13 BY adding to

14 Article – Public Safety

15 Section 5–144

16 Annotated Code of Maryland

17 (2011 Replacement Volume and 2012 Supplement)

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

20 **Article – Public Safety**

21 **5–144.**

22 **(A) A DEALER OR ANY OTHER PERSON WHO SELLS OR TRANSFERS A**
23 **REGULATED FIREARM SHALL NOTIFY THE PURCHASER OR RECIPIENT OF THE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 REGULATED FIREARM AT THE TIME OF PURCHASE OR TRANSFER THAT THE
2 PURCHASER OR RECIPIENT IS REQUIRED TO REPORT A LOST OR STOLEN
3 REGULATED FIREARM TO THE LOCAL LAW ENFORCEMENT AGENCY AS
4 REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.

5 (B) IF A REGULATED FIREARM IS LOST OR STOLEN, THE OWNER OF THE
6 REGULATED FIREARM SHALL REPORT THE LOSS OR THEFT TO THE LOCAL LAW
7 ENFORCEMENT AGENCY WITHIN 72 HOURS AFTER THE OWNER FIRST
8 DISCOVERS THE LOSS OR THEFT.

9 (C) ON RECEIPT OF A REPORT OF A LOST OR STOLEN REGULATED
10 FIREARM, A LOCAL LAW ENFORCEMENT AGENCY SHALL ENTER, TO THE EXTENT
11 KNOWN, THE CALIBER, MAKE, MODEL, MANUFACTURER, AND SERIAL NUMBER
12 OF THE FIREARM AND ANY OTHER DISTINGUISHING NUMBER OR
13 IDENTIFICATION MARK ON THE FIREARM INTO THE NATIONAL CRIME
14 INFORMATION CENTER (NCIC) DATABASE.

15 (D) A PERSON WHO VIOLATES SUBSECTION (A) OR (B) OF THIS SECTION
16 IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

17 (1) FOR A FIRST OFFENSE, IMPRISONMENT NOT EXCEEDING 90
18 DAYS OR A FINE NOT EXCEEDING \$500 OR BOTH; AND

19 (2) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPRISONMENT
20 NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2013.