

SENATE BILL 544

E4

3lr2428
CF 3lr2925

By: **Senators Frosh, Conway, Ferguson, Garagiola, Madaleno, Manno,
McFadden, Montgomery, Muse, and Raskin**

Introduced and read first time: February 1, 2013

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Ammunition – Sales Records**

3 FOR the purpose of requiring a certain person engaged in the business of selling
4 certain ammunition to keep certain records of certain sales; requiring a certain
5 person to verify certain information; requiring the Secretary of State Police to
6 adopt certain regulations; authorizing the Secretary or the Secretary’s designee
7 to inspect certain records under certain circumstances; requiring the Secretary
8 or the Secretary’s designee to make a certain inspection in the presence of a
9 certain person under certain circumstances; requiring a certain person to
10 present certain identification to purchase ammunition; establishing certain
11 penalties; requiring certain penalties to be assessed with consideration of
12 certain circumstances; defining certain terms; and generally relating to
13 ammunition and sales records.

14 BY adding to

15 Article – Public Safety

16 Section 5–601 through 5–604 to be under the new subtitle “Subtitle 6.
17 Ammunition”

18 Annotated Code of Maryland

19 (2011 Replacement Volume and 2012 Supplement)

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

22 **Article – Public Safety**

23 **SUBTITLE 6. AMMUNITION.**

24 **5–601.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
2 **INDICATED.**

3 **(B) “AMMUNITION” MEANS A CARTRIDGE, A SHELL, OR ANY OTHER**
4 **DEVICE CONTAINING EXPLOSIVE OR INCENDIARY MATERIAL DESIGNED AND**
5 **INTENDED FOR USE IN A FIREARM.**

6 **(C) “SECRETARY” MEANS THE SECRETARY OF STATE POLICE.**

7 **5-602.**

8 **(A) A PERSON ENGAGED IN THE BUSINESS OF SELLING AMMUNITION**
9 **SHALL KEEP A DETAILED RECORD OF ALL AMMUNITION SALES.**

10 **(B) FOR EACH SALE SUBJECT TO SUBSECTION (A) OF THIS SECTION,**
11 **THE PERSON ENGAGED IN THE BUSINESS OF SELLING AMMUNITION SHALL:**

12 **(1) VERIFY THE IDENTITY OF THE PURCHASER BY A DRIVER’S**
13 **LICENSE OR OTHER GOVERNMENT–ISSUED IDENTIFICATION; AND**

14 **(2) MAKE A RECORD OF EACH SALE, IN THE FORMAT REQUIRED**
15 **BY THE SECRETARY, THAT INCLUDES:**

16 **(I) THE DATE OF THE SALE;**

17 **(II) THE FULL NAME, ADDRESS, AND DATE OF BIRTH OF THE**
18 **PURCHASER;**

19 **(III) THE FORM OF IDENTIFICATION USED BY THE**
20 **PURCHASER; AND**

21 **(IV) THE TYPE AND QUANTITY OF AMMUNITION PURCHASED.**

22 **(C) THE SECRETARY SHALL ADOPT REGULATIONS SPECIFYING:**

23 **(1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**
24 **INFORMATION THAT THE RECORDS SHALL CONTAIN;**

25 **(2) THE TIME PERIOD FOR WHICH THE RECORDS ARE TO BE KEPT;**
26 **AND**

27 **(3) THE FORM IN WHICH THE RECORDS ARE TO BE KEPT.**

1 **(D) (1) THE SECRETARY OR THE SECRETARY'S DESIGNEE MAY**
2 **INSPECT THE RECORDS OF A PERSON ENGAGED IN THE BUSINESS OF SELLING**
3 **AMMUNITION AT ANY TIME DURING THE NORMAL BUSINESS HOURS OF THE**
4 **BUSINESS.**

5 **(2) AT THE REQUEST OF THE BUSINESS OWNER, THE SECRETARY**
6 **OR THE SECRETARY'S DESIGNEE SHALL MAKE THE INSPECTION IN THE**
7 **PRESENCE OF THE BUSINESS OWNER.**

8 **5-603.**

9 **IN ORDER TO PURCHASE AMMUNITION, A PURCHASER SHALL PRESENT TO**
10 **THE PERSON ENGAGED IN THE BUSINESS OF SELLING AMMUNITION A DRIVER'S**
11 **LICENSE OR OTHER GOVERNMENT-ISSUED IDENTIFICATION.**

12 **5-604.**

13 **(A) A PERSON ENGAGED IN THE BUSINESS OF SELLING AMMUNITION**
14 **WHO FAILS TO MAINTAIN A RECORD OF AMMUNITION SALES OR WHO REFUSES**
15 **TO ALLOW ACCESS TO OR INSPECTION OF RECORDS, AS REQUIRED UNDER THIS**
16 **SUBTITLE, IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$500 FOR EACH**
17 **VIOLATION.**

18 **(B) THE CIVIL PENALTY UNDER THIS SECTION SHALL BE ASSESSED**
19 **WITH CONSIDERATION GIVEN TO:**

20 **(1) THE SERIOUSNESS OF THE VIOLATION;**

21 **(2) THE WILLFULNESS OF THE VIOLATION;**

22 **(3) THE EXTENT TO WHICH THE VIOLATION IS PART OF A**
23 **RECURRENT PATTERN OF THE SAME OR SIMILAR TYPE OF VIOLATION**
24 **COMMITTED BY THE VIOLATOR; AND**

25 **(4) ANY OTHER RELEVANT FACTORS.**

26 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
27 **October 1, 2013.**