

HB0096/722019/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 96
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Transfer” and substitute “Prohibition of Loans”; strike beginning with “providing” in line 3 down through “circumstances;” in line 5 and substitute “prohibiting a certain dealer or other person from loaning a regulated firearm to a certain borrower under certain circumstances; prohibiting a certain dealer or other person from selling, renting, loaning, or transferring a regulated firearm to a certain person who the dealer or other person knows or has reason to believe intends to commit a certain crime or cause certain harm; creating a certain exception to a certain prohibition on selling, renting, loaning, or transferring a regulated firearm to a person under a certain age; making certain conforming changes;”; and in line 8, strike “5-124” and substitute “5-134(b)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 23 on page 2, inclusive, and substitute:

“5-134.

(b) A dealer or other person may not sell, rent, LOAN, or transfer a regulated firearm to a purchaser, lessee, BORROWER, or transferee who the dealer or other person knows or has reasonable cause to believe:

(1) is under the age of 21 years, UNLESS THE PURCHASER, LESSEE, BORROWER, OR TRANSFEEE MAY POSSESS THE REGULATED FIREARM UNDER § 5-133(D) OF THIS SUBTITLE;

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- (2) has been convicted of a disqualifying crime;
- (3) has been convicted of a conspiracy to commit a felony;
- (4) has been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;
- (5) is a fugitive from justice;
- (6) is a habitual drunkard;
- (7) is addicted to a controlled dangerous substance or is a habitual user;
- (8) suffers from a mental disorder as defined in § 10–101(i)(2) of the Health – General Article, and has a history of violent behavior against the purchaser, lessee, **BORROWER**, or transferee or another, unless the purchaser, lessee, **BORROWER**, or transferee possesses a physician’s certificate that the recipient is capable of possessing a regulated firearm without undue danger to the purchaser, lessee, **BORROWER**, or transferee or to another;
- (9) has been confined for more than 30 consecutive days to a facility as defined in § 10–101 of the Health – General Article, unless the purchaser, lessee, **BORROWER**, or transferee possesses a physician’s certificate that the recipient is capable of possessing a regulated firearm without undue danger to the purchaser, lessee, **BORROWER**, or transferee or to another;
- (10) is a respondent against whom a current non ex parte civil protective order has been entered under § 4–506 of the Family Law Article;
- (11) if under the age of 30 years at the time of the transaction, has been adjudicated delinquent by a juvenile court for an act that would be a disqualifying crime if committed by an adult;

(12) is visibly under the influence of alcohol or drugs;

(13) is a participant in a straw purchase; [or]

(14) subject to subsection (c) of this section for a transaction under this subsection that is made on or after January 1, 2002, has not completed a certified firearms safety training course conducted free of charge by the Police Training and Standards Commission or that meets standards established by the Police Training and Standards Commission under § 3-207 of this article; OR

(15) INTENDS TO USE THE REGULATED FIREARM TO:

(I) COMMIT A CRIME; OR

(II) CAUSE HARM TO THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT OR ANOTHER PERSON."