

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1241  
Judiciary

(Delegate Cox)

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Firearms - Law Enforcement - Patrol Responsibilities (Retail Firearm Business  
Protection Act)

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This bill requires each local law enforcement agency to collaborate with each “retail firearm business” in the local law enforcement agency’s jurisdiction to establish a policy for providing at least one patrol by a law enforcement officer each night during nonbusiness hours to monitor and inspect the retail firearm business. “Retail firearm business” means a business that sells firearms, including regulated firearms.

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Fiscal Summary

**State Effect:** None. The bill only affects local law enforcement operations.

**Local Effect:** While some local law enforcement agencies can handle the bill’s requirements with existing resources, others likely experience a minimal to potential significant increase in local expenditures. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Potential meaningful.

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Analysis

**Current Law/Background:** There is nothing currently in statute mandating collaboration between a local law enforcement agency and a retail establishment regarding patrols by a law enforcement agency.

State and local governments share law enforcement responsibilities in most counties, with local sheriffs and police departments acting as the primary local law enforcement agency

and the State Police focusing on traffic management and specialized services. Under the Maryland Constitution, each county and Baltimore City is required to elect a sheriff, who is by common law the primary public safety officer of the jurisdiction.

State law also authorizes counties to provide for a separate county police force. Local governments maintaining county police forces include Anne Arundel, Baltimore, Howard, Montgomery, and Prince George's counties, along with Baltimore City. The law is silent on the specific duties of these county law enforcement agencies. In practice, county police departments have become the primary law enforcement agencies in these counties. The sheriffs' departments in these counties primarily support judicial functions such as courtroom security and service of process.

**Local Expenditures:** The bill's effect on local expenditures likely varies by jurisdiction. While some local law enforcement agencies can handle the bill's requirements with existing resources, others may experience a minimal to potential significant increase in local expenditures to provide additional patrols. The following information was gleaned from a limited survey of local governments:

- Baltimore County advises that there are 20 retail firearm businesses within the county. In order to provide the required monitoring and inspection, the county estimates that overtime costs increase by approximately \$290,000 annually.
- While Montgomery County is unable to estimate any increase in costs for local law enforcement agencies in the county, the county advises that there is an operational impact for the county police department. In order to provide the required monitoring and inspection of each retail firearm business within the county, officers will likely be taken away from regular patrol in other areas.
- Anne Arundel County advises that any additional costs resulting from the bill are anticipated to be minimal.
- The Maryland Municipal League advises that affected municipalities can likely implement the bill with existing resources.

**Small Business Effect:** Many retail firearm businesses within the State are small businesses. To the extent that such businesses choose to reduce current or future security measures due to the monitoring and inspection required under the bill, business costs decrease.

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## **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel, Baltimore, Garrett, and Montgomery counties; Maryland Association of Counties; City of Laurel; Maryland Municipal League; Department of Legislative Services

**Fiscal Note History:** First Reader - March 2, 2020  
rh/lgc

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Analysis by: Shirleen M. E. Pilgrim

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510