

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 360 (Delegate Genn, et al.)
Judiciary

Firearms - Prohibitions - Adjudication of Delinquency

This bill provides that a person may not be issued a handgun permit or possess a pistol or revolver if the person has been adjudicated delinquent within the previous 10 years for an offense that would have been a crime of violence if committed by an adult.

The bill also prohibits dealers or other persons from selling or transferring pistols, revolvers, or assault weapons to a person known to have been adjudicated delinquent for a crime of violence within the past 10 years.

Fiscal Summary

State Effect: Potential significant increase in general fund expenditures. No effect on revenues.

Local Effect: None.

Fiscal Analysis

State Expenditures: This bill would require the State Police to have access to the juvenile records of persons attempting to obtain a handgun permit or to possess a pistol or revolver. Juvenile records are confidential and are not reported to the Criminal Justice Information System (CJIS) except under specific circumstances. This bill does not provide for the reporting of juvenile records to CJIS.

Currently, the State Police does not have access to juvenile records. Juvenile courts generally have jurisdiction over offenses committed by children under age 18. In fiscal 1995, 2,870 handgun permits were issued by the State Police. Implementation of this bill would require the Judiciary to compile juvenile adjudication records for all violent crimes committed by

juveniles. Since the bill requires the State Police to check juvenile records for the prior 10 years, this would only apply to applicants who are younger than 28. No data is available to indicate how many applicants are 28 or younger.

Only a few of the jurisdictions have computer automation capable of searching juvenile adjudication files. In the jurisdictions without automation, the clerks' offices would have to manually search juvenile adjudication files by the name of the person requesting a permit. If the name is not found by the clerk's office, the State Police would be able to issue the permit. This provision would have an indeterminate, but potentially significant effect on the clerks of courts' offices.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of State Police, Department of Fiscal Services

Fiscal Note History: First Reader - March 12, 1996

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