

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 502 (Senators Derr and Ferguson)
(Frederick County Senators)

Judicial Proceedings

Frederick County - Regulated Firearms Dealers - Holding Period

This bill requires regulated firearms dealers in Frederick County to make written records of firearms transactions and to hold all acquired firearms for 18 days after a certain report is filed with local law enforcement.

Fiscal Summary

State Effect: Potential minimal increase in revenues and expenditures due to the applicable penalty provision.

Local Effect: Potential minimal increase in revenues and expenditures due to the applicable penalty provision.

Small Business Effect: Indeterminate. The extent to which the requirements of this bill might add to the cost of doing business or retard potential sales for a small gun dealer cannot be reliably determined without any actual experience under these provisions.

Fiscal Analysis

Bill Summary: The bill requires that records be kept on a form provided by the Department of State Police. A separate record must be kept of each business transaction that involves the dealer's acquisition, by purchase or trade-in, of a firearm when the transaction is made. The bill specifies the information that must be contained in such records.

The dealer is required to tag each firearm individually with a number that corresponds to the transaction by which it was acquired. The records must be kept in the State for three years. A dealer is required to submit a copy of each record to the local law enforcement unit by the end of the first business day after the day on which the firearm was acquired. The bill

specifies the information that must be included in each record copy submitted to local law enforcement. Each such copy is not a public record and must be kept confidential.

The bill requires a dealer to keep a firearm for at least 18 days in either the dealer's place of business or a storage facility specified in the dealer's application for a regulated firearms dealer's license. A dealer may not alter a firearm before or during the holding period. Authorized local law enforcement personnel must be allowed, on request, to enter a dealer's place of business or storage facility to inspect records and firearms as a part of a stolen property investigation or an investigation of a violation of these provisions. The bill specifies the circumstances that allow for the presence of the dealer during such a search, and when a search warrant is required.

Violators are subject to current law misdemeanor penalties of a maximum fine of \$10,000 and/or maximum incarceration of five years.

Information Source(s): Frederick County, Department of Legislative Services

Fiscal Note History: First Reader - March 16, 1998

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