

Department of Legislative Services  
Maryland General Assembly  
2003 Session

FISCAL AND POLICY NOTE

Senate Bill 83 (Senator Stoltzfus)  
Judicial Proceedings

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**Law Enforcement - Forfeited Property and Agency-Owned Handguns -  
Disposition**

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This bill authorizes law enforcement agencies to dispose of agency-owned handguns or guns that are forfeited property by selling, exchanging, or transferring the guns to federally licensed gun dealers. The bill's provisions also extend to certain ammunition, handgun parts, or handgun appurtenances of forfeited handguns.

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**Fiscal Summary**

**State Effect:** Minimal. Any election to sell, exchange, or transfer such weapons to gun dealers by any State law enforcement agency would have little or no impact on overall finances or operations. The State Police would elect to continue to destroy any such weapons, rather than to engage in transactions with gun dealers.

**Local Effect:** Minimal.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** A law enforcement unit that acquires a handgun (as well as specified ammunition, parts, and appurtenances) via forfeiture may only: (1) order the property retained for the official use of the law enforcement unit; (2) destroy the forfeited property; or (3) sell, exchange, or transfer the forfeited property to another law enforcement unit for official use by that unit.

A law enforcement agency seeking to dispose of a handgun owned by the agency must: (1) destroy the handgun; (2) sell, exchange, or transfer the handgun to another law enforcement agency for official use by that agency; (3) sell the handgun to a retired police employee; or (4) sell the handgun to the law enforcement officer to whom the handgun was assigned.

**Local Effect:** Any election to sell, exchange, or transfer such weapons to gun dealers by local law enforcement agencies would have little or no impact on overall finances or operations. The Baltimore City Police Department would continue the practice of selling agency issued handguns to retired or current police employees, and destroying any remaining inventory.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Prince George's County, Charles County, Baltimore City, Department of State Police, Department of Legislative Services

**Fiscal Note History:** First Reader - February 28, 2003  
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