

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 178

(Delegate Menes)

Judiciary

Regulated Firearms - Dealers - Security Standards for Places of Business

This bill requires the Secretary of State Police (or the Secretary's designee) to adopt standards to ensure that a licensed firearms dealer's place of business is operated in a secure manner. The bill provides that the standards may require the licensee to install specified devices and to conduct a regular inventory. Different standards may be adopted for different licensees. The bill authorizes the Secretary to suspend or revoke a dealer's license for a violation of these provisions.

Fiscal Summary

State Effect: The bill's requirements could be handled with the existing budgeted resources of the Department of State Police and the Office of Administrative Hearings.

Local Effect: None.

Small Business Effect: Potential meaningful. Additional security standards for a firearms dealer's place of business could significantly add to the cost of operating that business depending on the standards set and the ability of the dealer to meet the standards.

Analysis

Bill Summary: Specifically, the bill allows the standards to require a licensee to install: (1) handgun storage safes; (2) security chains for long guns; (3) stanchions placed around the premises; (4) security screens for windows and doors; (5) a security alarm system

with a police notification capacity; (6) an admission buzzer system; or (7) a video surveillance system.

Current Law: No person may engage in the business of selling, renting, or transferring regulated firearms unless he or she lawfully possesses and conspicuously displays at the place of business, in addition to any other license required by law, a regulated firearms dealer's license issued by the Secretary of State Police. Such a licensee must have already been issued a federal firearms dealer's license. Such license must identify the licensee and the location of the licensee's place of business. One such license is required for each place of business where regulated firearms are sold. A State firearms dealer's license expires on June 30 of each year, and is nontransferable. The initial license fee is \$50, and the annual renewal fee is \$25. If a licensee changes his or her place of business, the licensee must inform the State Police of the change and surrender the license. If no cause exists for the revocation of the license, a new license is issued, without fee, covering the new place of business for the duration of the unexpired term of the surrendered license.

A person may not possess, sell, transfer, or otherwise dispose of a stolen regulated firearm if the person knows or has reasonable cause to believe that the firearm has been stolen.

A dealer or other person may not knowingly participate in the illegal sale, rental, transfer, purchase, possession, or receipt of a regulated firearm. A violator is guilty of a misdemeanor and subject to maximum penalties of imprisonment for five years and/or a fine of \$10,000. Each violation is a separate crime.

A "regulated firearm" means any handgun or specified assault weapon.

The State Police currently have regulatory authority over firearms (including firearms dealer licensing, machine gun registrations, handgun permits, handgun instructor certification, handgun collector permits, and gun safety); private detective registration; private detective agency licensing; security guard certifications; security guard agency licensing; security systems agency licensing; security systems technicians, sales persons, and monitors; special police registrations; outdoor music festivals private property permits; K-9 registrations; railroad police commission; public fireworks display permits; explosives dealer licensing; fireworks shooter licensing; smoke detector sales/use approvals; fire extinguisher repair licensing; and explosives blaster licensing (a program under development).

Background: Several break-ins of gun shops, by means of an automobile, have reportedly occurred in College Park and Beltsville.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Office of Administrative Hearings, Department of State Police,
Department of Legislative Services

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Analysis by: Guy G. Cherry

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