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By: **Delegates Niemann, Barkley, Bobo, Franchot, Kelley, Murray, Paige,  
Proctor, Ramirez, F. Turner, and Vaughn**

Introduced and read first time: January 29, 2004

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Gun Shops - Storage Vaults for Regulated Firearms**

3 FOR the purpose of requiring an applicant for a State regulated firearms dealer's  
4 license to provide evidence satisfactory to the Secretary of State Police that the  
5 applicant's proposed place of business has a certain vault that can hold  
6 regulated firearms; requiring a licensee to store in a certain vault all regulated  
7 firearms for sale when the licensee's place of business is closed; allowing certain  
8 licensees to comply with the storage requirement on or before a certain date;  
9 providing certain penalties; and generally relating to regulated firearms dealers  
10 and regulated firearms.

11 BY adding to

12 Article - Public Safety  
13 Section 5-109.1  
14 Annotated Code of Maryland  
15 (2003 Volume)

16 BY repealing and reenacting, with amendments,

17 Article - Public Safety  
18 Section 5-114  
19 Annotated Code of Maryland  
20 (2003 Volume)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Public Safety**

24 5-109.1.

25 (A) BEFORE THE SECRETARY ISSUES A DEALER'S LICENSE TO AN APPLICANT,  
26 THE APPLICANT SHALL PROVIDE EVIDENCE SATISFACTORY TO THE SECRETARY  
27 THAT THE APPLICANT'S PROPOSED PLACE OF BUSINESS HAS A VAULT THAT IS

1 SECURED TO THE FLOOR AND THAT CAN HOLD ALL OF THE REGULATED FIREARMS  
2 TO BE OFFERED FOR SALE.

3 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
4 WHEN A LICENSEE'S PLACE OF BUSINESS IS CLOSED, THE LICENSEE SHALL STORE  
5 ALL REGULATED FIREARMS FOR SALE IN A VAULT DESCRIBED IN SUBSECTION (A) OF  
6 THIS SECTION.

7 (2) A PERSON WHO HOLDS A DEALER'S LICENSE ON OR BEFORE  
8 OCTOBER 1, 2004, SHALL COMPLY WITH THIS SUBSECTION ON OR BEFORE JULY 1,  
9 2005.

10 5-114.

11 (a) The Secretary shall suspend a dealer's license if the licensee:

12 (1) is under indictment for a crime of violence; or

13 (2) is arrested for a violation of this subtitle that prohibits the purchase  
14 or possession of a regulated firearm.

15 (b) The Secretary shall revoke a dealer's license if:

16 (1) it is discovered that false information has been supplied or false  
17 statements have been made in an application required by this subtitle; or

18 (2) the licensee:

19 (i) is convicted of a disqualifying crime;

20 (ii) is convicted of a violation classified as a common law crime and  
21 receives a term of imprisonment of more than 2 years;

22 (iii) is a fugitive from justice;

23 (iv) is a habitual drunkard;

24 (v) is addicted to a controlled dangerous substance or is a habitual  
25 user;

26 (vi) has spent more than 30 consecutive days in a medical  
27 institution for treatment of a mental disorder, unless the licensee produces a  
28 physician's certificate, issued after the last institutionalization and certifying that the  
29 licensee is capable of possessing a regulated firearm without undue danger to the  
30 licensee or to another;

31 (vii) has knowingly or willfully manufactured, offered to sell, or  
32 sold a handgun not on the handgun roster in violation of § 5-406 of this title; or

33 (viii) has knowingly or willfully participated in a straw purchase of  
34 a regulated firearm.

1 (c) THE SECRETARY MAY DENY A DEALER'S LICENSE TO ANY APPLICANT OR  
2 SUSPEND OR REVOKE A DEALER'S LICENSE IF THE APPLICANT OR LICENSEE  
3 VIOLATES § 5-109.1 OF THIS SUBTITLE.

4 (D) If the Secretary suspends or revokes a dealer's license, the Secretary shall  
5 notify the licensee in writing of the suspension or revocation.

6 [(d)] (E) A person whose dealer's license is suspended or revoked may not  
7 engage in the business of selling, renting, or transferring regulated firearms, unless  
8 the suspension or revocation has been subsequently withdrawn by the Secretary or  
9 overruled by a court in accordance with § 5-116 of this subtitle.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
11 effect October 1, 2004.