

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 547

(Senator Miller, *et al.*)

Judicial Proceedings

Handguns - Integrated Mechanical Safety Device - Definition

This bill expands the definition of the integrated mechanical safety device that is required to be on specified handguns before a dealer may sell, offer for sale, rent, or transfer the handguns in the State. Under current law, an integrated mechanical safety device is a disabling or locking device that is built into a handgun and designed to prevent the handgun from being discharged unless the device has been deactivated. Under this bill, an integrated mechanical device means a disabling or locking device that is: (1) built into a handgun or is capable of being placed into a handgun that is integrated into or becomes integrated into the handgun after locking or activation; and (2) designed to prevent the handgun from being discharged unless the device has been deactivated by opening with a key, unlocking a combination lock, or similar action. The bill also provides that such a device includes a cable lock or a lock added to a handgun after original manufacture.

Fiscal Summary

State Effect: None. The provisions of this bill would not affect current handgun registration procedures and, thereby, the operations or finances of the State Police.

Local Effect: None.

Small Business Effect: Potential meaningful. The provisions of this bill would likely spur additional handgun sales in the State. The actual magnitude of such a retail impact on handgun dealers is unknown, but is assumed to be potentially significant to the State's 269 licensed gun dealers, who are generally believed to be small businesses.

Analysis

Current Law: An external safety lock is an external device that is attached to a handgun with a key or combination lock and is designed to prevent a handgun from being discharged unless the device has been deactivated.

A licensed firearms dealer is prohibited from selling or transferring in the State a handgun, made on or before December 31, 2002, without an external safety lock. Beginning January 1, 2003, a dealer may not sell or transfer any handgun made after December 31, 2002 unless it has an integrated mechanical safety device. (This provision does not apply to sales to the government, military, or law enforcement, or sales or transfers by licensed dealers or manufacturers to lawful out-of-state customers.)

The Handgun Roster Board is an entity within the Department of State Police. The board is required to review the status of personalized handgun technology and report its findings to the Governor and the General Assembly on an annual basis, beginning by July 1, 2002.

A personalized handgun is a handgun manufactured with incorporated design technology that allows the handgun to be fired only by the authorized user and prevents any of the safety characteristics of the handgun from being readily deactivated.

These provisions were contained in Chapter 2 of 2000, the Responsible Gun Safety Act of 2000.

A handgun does not include a signal, starter, or blank pistol.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 25, 2004
lc/jr

Analysis by: Guy G. Cherry

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

