
By: **Delegates Niemann, Menes, Frush, Moe, Benson, Conroy, D. Davis,
Gaines, Healey, Hennessy, Holmes, Hubbard, Kelley, Parker, Patterson,
Proctor, Quinter, F. Turner, V. Turner, and Vallario**

Introduced and read first time: January 26, 2005

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Gun Shops - Security Requirements 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 certain security features; requiring a
6 licensee to take certain security measures during nonbusiness hours and when
7 the structure is not occupied; allowing certain licensees to comply with the
8 security requirements on or before a certain date; modifying the threshold
9 amount of time spent in a certain medical institution that requires the Secretary
10 of State Police to revoke a dealer's license under certain circumstances;
11 providing certain penalties; creating a certain exception; requiring that a
12 certain suspension or revocation be stayed under certain circumstances; and
13 generally relating to regulated firearms dealers and regulated firearms.

14 BY adding to

15 Article - Public Safety
16 Section 5-109.1
17 Annotated Code of Maryland
18 (2003 Volume and 2004 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article - Public Safety
21 Section 5-114
22 Annotated Code of Maryland
23 (2003 Volume and 2004 Supplement)

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

1

Article - Public Safety

2 5-109.1.

3 (A) BEFORE THE SECRETARY ISSUES A DEALER'S LICENSE TO AN APPLICANT,
4 THE APPLICANT SHALL PROVIDE EVIDENCE SATISFACTORY TO THE SECRETARY
5 THAT THE APPLICANT'S PROPOSED PLACE OF BUSINESS HAS:

6 (1) A VAULT OR SAFE THAT:

7 (I) IS AT LEAST 50 INCHES TALL;

8 (II) IS AT LEAST 20 INCHES WIDE;

9 (III) WEIGHS OVER 250 POUNDS OR IS BOLTED OR PERMANENTLY
10 ATTACHED TO THE STRUCTURE;

11 (IV) HAS A SOLID DOOR WITH 1-INCH LOCKING PINS; AND

12 (V) MEETS THE UNDERWRITERS LABORATORIES RESIDENTIAL
13 SECURITY CONTAINER RATING;

14 (2) 3/8 INCH THICK BRAIDED CABLES WITH RUBBER JACKETS THAT:

15 (I) ATTACH TO A FRAME OR SECURING POINTS ATTACHED TO THE
16 STRUCTURE;

17 (II) HAVE KEY LOCKS; AND

18 (III) ARE SUFFICIENT TO SECURE ALL REGULATED FIREARMS
19 OTHER THAN HANDGUNS TO BE OFFERED FOR SALE AT THE PROPOSED PLACE OF
20 BUSINESS; AND

21 (3) A MONITORED SECURITY SYSTEM THAT WILL NOTIFY A SECURITY
22 MONITORING SERVICE TO NOTIFY THE POLICE IMMEDIATELY OF ANY INTRUSION
23 INTO THE PROPOSED PLACE OF BUSINESS.

24 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE
25 LICENSEE SHALL:

26 (I) STORE ALL REGULATED FIREARMS THAT ARE HANDGUNS IN A
27 VAULT DESCRIBED IN SUBSECTION (A)(1) OF THIS SECTION DURING NONBUSINESS
28 HOURS;

29 (II) SECURE ALL REGULATED FIREARMS THAT ARE NOT
30 HANDGUNS:

31 1. WITH A CABLE LOCK DESCRIBED IN SUBSECTION (A)(2) OF
32 THIS SECTION DURING NONBUSINESS HOURS; OR

1 (c) (1) SUBJECT TO THE HEARING RIGHTS OF § 5-115 OF THIS SUBTITLE,
2 THE SECRETARY MAY DENY A DEALER'S LICENSE TO ANY APPLICANT OR SUSPEND
3 OR REVOKE A DEALER'S LICENSE IF THE APPLICANT OR LICENSEE VIOLATES §
4 5-109.1 OF THIS SUBTITLE.

5 (2) ANY SUSPENSION OR REVOCATION UNDER THIS SUBSECTION SHALL
6 BE STAYED PENDING ANY HEARING HELD UNDER § 5-115 OF THIS SUBTITLE.

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

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

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2005.