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By: **Delegates McMillan and Quinter**

Introduced and read first time: February 9, 2005

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Possession of Regulated Firearms - Convicted Felons**

3 FOR the purpose of altering certain penalties for possession of a regulated firearm by  
4 a person who was previously convicted of a crime of violence or a certain other  
5 crime; clarifying language; and generally relating to penalties for possession of  
6 regulated firearms.

7 BY repealing and reenacting, with amendments,  
8 Article - Public Safety  
9 Section 5-133(c)  
10 Annotated Code of Maryland  
11 (2003 Volume and 2004 Supplement)

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

14 **Article - Public Safety**

15 5-133.

16 (c) (1) A person may not possess a regulated firearm if the person was  
17 previously convicted of:

18 (i) a crime of violence; or

19 (ii) a violation of § 5-602, § 5-603, § 5-604, § 5-605, § 5-606, §  
20 5-607, § 5-608, § 5-609, § 5-612, § 5-613, or § 5-614 of the Criminal Law Article.

21 (2) (I) A person who violates this subsection is guilty of a felony and on  
22 conviction is subject to imprisonment for not less than 5 years[, no part of which may  
23 be suspended] AND NOT EXCEEDING 20 YEARS.

24 (II) THE COURT MAY NOT SUSPEND THE MANDATORY MINIMUM  
25 SENTENCE TO LESS THAN 5 YEARS.

1 (III) THE PERSON IS NOT ELIGIBLE FOR PAROLE DURING THE  
2 MANDATORY MINIMUM SENTENCE.

3 (3) [A person sentenced under paragraph (1) of this subsection may not  
4 be eligible for parole.

5 (4)] Each violation of this subsection is a separate crime.

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