
By: **Senator Stone**

Introduced and read first time: February 4, 2005

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Firearms Offenses - Penalties**

3 FOR the purpose of altering certain criminal penalties for a person who is convicted of
4 possessing a regulated firearm after having been previously convicted of a crime
5 of violence or a felony; prohibiting a court from imposing less than a certain
6 minimum sentence; and generally relating to penalties for firearms offenses.

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 IMPOSE LESS THAN THE MINIMUM
25 SENTENCE OF 5 YEARS AND THE PERSON IS NOT ELIGIBLE FOR PAROLE IN LESS
26 THAN 5 YEARS.

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

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

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