
By: **Senators Mooney, Colburn, Greenip, Harris, and Pipkin**

Introduced and read first time: February 10, 2005

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Regulated Firearms - Correctional Officers - Exemption from Age**
3 **Requirement**

4 FOR the purpose of exempting, under certain circumstances, correctional officers
5 from the prohibition against possession of regulated firearms by underaged
6 persons; and generally relating to correctional officers and regulated firearms.

7 BY repealing and reenacting, with amendments,
8 Article - Public Safety
9 Section 5-133(d)
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 (d) (1) Except as provided in paragraph (2) of this subsection, a person who
17 is under the age of 21 years may not possess a regulated firearm or ammunition solely
18 designed for a regulated firearm.

19 (2) Unless a person is otherwise prohibited from possessing a regulated
20 firearm, this subsection does not apply to:

21 (i) the temporary transfer or possession of a regulated firearm or
22 ammunition solely designed for a regulated firearm if the person is:

23 1. under the supervision of another who is at least 21 years
24 old and who is not prohibited by State or federal law from possessing a firearm; and

25 2. acting with the permission of the parent or legal guardian
26 of the transferee or person in possession;

1 (ii) the transfer by inheritance of title, and not of possession, of a
2 regulated firearm;

3 (iii) a member of the armed forces of the United States or the
4 National Guard while performing official duties;

5 (iv) the temporary transfer or possession of a regulated firearm or
6 ammunition solely designed for a regulated firearm if the person is:

7 1. participating in marksmanship training of a recognized
8 organization; and

9 2. under the supervision of a qualified instructor;

10 (v) a person who is required to possess a regulated firearm for
11 employment and who holds a permit under Subtitle 3 of this title; [or]

12 (vi) the possession of a firearm or ammunition for self-defense or
13 the defense of others against a trespasser into the residence of the person in
14 possession or into a residence in which the person in possession is an invited guest;
15 OR

16 (VII) WHILE ACTING WITHIN THE SCOPE OF OFFICIAL DUTIES, A
17 CORRECTIONAL OFFICER EMPLOYED IN A CORRECTIONAL FACILITY IN THE
18 DIVISION OF CORRECTION.

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