

---

By: **Delegates Quinter and Dumais**

Introduced and read first time: February 10, 2006

Assigned to: Judiciary

---

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - Handgun Identification Requirements - Alternative Means of**  
3 **Compliance**

4 FOR the purpose of providing that a manufacturer that ships or transports a  
5 handgun for sale, rental, or transfer in the State may, instead of including a  
6 certain container and information in a certain box, ensure that when  
7 ammunition is fired from the handgun, the handgun operates in a certain  
8 manner, and make a certain certification to dealers; providing certain penalties;  
9 defining a certain term; and generally relating to handgun identification  
10 requirements.

11 BY repealing and reenacting, with amendments,

12 Article - Public Safety

13 Section 5-131

14 Annotated Code of Maryland

15 (2003 Volume and 2005 Supplement)

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

18 **Article - Public Safety**

19 5-131.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) "Manufacturer" means a person who possesses a federal license to  
22 engage in the business of manufacturing firearms or ammunition for sale or  
23 distribution.

24 (3) "MICROSTAMPING" MEANS THE TRANSFER OF A MICROSCOPIC  
25 ARRAY OF CHARACTERS THAT IDENTIFY THE MAKE, MODEL, AND SERIAL NUMBER  
26 OF A GUN TO A SHELL CASING AS THE GUN IS FIRED.

27 [(3)] (4) "Projectile" means the part of handgun ammunition that is  
28 expelled through the barrel of the handgun by an explosion.

1            [(4)]    (5)    "Shell casing" means the part of handgun ammunition that  
2 contains the primer and propellant powder to discharge the projectile.

3            (b)    A manufacturer that ships or transports a handgun for sale, rental, or  
4 transfer in the State shall [include in the box with the handgun in a separate, sealed  
5 container]:

6            (1)    INCLUDE IN THE BOX WITH THE HANDGUN IN A SEPARATE, SEALED  
7 CONTAINER a shell casing of a projectile discharged from the handgun AND  
8 ADDITIONAL INFORMATION THAT THE SECRETARY REQUIRES TO IDENTIFY THE  
9 TYPE OF HANDGUN AND SHELL CASING; [and] OR

10           (2)    [additional information that the Secretary requires to identify the  
11 type of handgun and shell casing] ENSURE THAT WHEN AMMUNITION IS FIRED FROM  
12 THE HANDGUN, THE HANDGUN OPERATES IN A MANNER THAT INCLUDES COPYING  
13 THE CHARACTERS ONTO THE SHELL CASING OF THE AMMUNITION BY MEANS OF  
14 MICROSTAMPING, AND CERTIFY TO DEALERS THAT THE HANDGUN IS CAPABLE OF  
15 MICROSTAMPING.

16           (c)    (1)    On receipt of a handgun from a manufacturer, the dealer shall  
17 confirm to the Department of State Police that the manufacturer has complied with  
18 subsection [(b)] (B)(1) OR (2) of this section.

19           (2)    [On] IF THE MANUFACTURER HAS ELECTED TO INCLUDE A  
20 SEPARATE, SEALED CONTAINER WITH A SHELL CASING UNDER SUBSECTION (B)(1) OF  
21 THIS SECTION, ON the sale, rental, or transfer of the handgun, the dealer shall  
22 forward the sealed container to the Department of State Police Crime Laboratory.

23           (d)    On receipt of a shell casing and information [as required in subsection (b)]  
24 UNDER SUBSECTION (B)(1) of this section, the Department of State Police Crime  
25 Laboratory shall enter the information in each relevant database.

26           (E)    (1)    A PERSON WHO VIOLATES THIS SECTION SHALL BE LIABLE FOR A  
27 CIVIL PENALTY OF \$1,000 FOR EACH HANDGUN INVOLVED IN THE VIOLATION.

28           (2)    A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
29 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT  
30 EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

31           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2006.