

Department of Legislative Services  
Maryland General Assembly  
2006 Session

FISCAL AND POLICY NOTE

Senate Bill 518  
Judicial Proceedings

(Senator Haines, *et al.*)

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**Public Safety - Disposal of Handguns Owned by a Law Enforcement Agency**

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This bill authorizes law enforcement agencies to dispose of agency-owned handguns by selling, exchanging, or transferring the guns to a manufacturer.

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**Fiscal Summary**

**State Effect:** Minimal. Any election to sell, exchange, or transfer such weapons to a manufacturer by any State law enforcement agency would have little or no impact on overall finances or operations. The State Police currently sell some handguns to retirees, and any handguns too damaged to be reissued are destroyed. Any potential savings resulting from a departmental conversion to another handgun for issuance to troopers cannot be reliably predicted. The State Police do not currently anticipate such a conversion being made.

**Local Effect:** Minimal.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** “Manufacturer” means a person who possesses a federal license to engage in the business of manufacturing firearms or ammunition for sale or distribution.

A law enforcement unit that acquires a handgun (as well as specified ammunition, parts, and appurtenances) via forfeiture may only: (1) order the property retained for the official use of the law enforcement unit; (2) destroy the forfeited property; or (3) sell,

exchange, or transfer the forfeited property to another law enforcement unit for official use by that unit.

A law enforcement agency seeking to dispose of a handgun owned by the agency must: (1) destroy the handgun; (2) sell, exchange, or transfer the handgun to another law enforcement agency for official use by that agency; (3) sell the handgun to a retired police employee; or (4) sell the handgun to the law enforcement officer to whom the handgun was assigned.

**Local Effect:** Any election to sell, exchange, or transfer such weapons to manufacturers by local law enforcement agencies would have little or no impact on overall finances or operations. It is assumed that the Baltimore City Police Department would continue the practice of selling agency issued handguns to retired or current police employees and destroying any remaining inventory.

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### **Additional Information**

**Prior Introductions:** In 2003, SB 83 would have authorized law enforcement agencies to dispose of agency-owned handguns or guns that are forfeited property by selling, exchanging, or transferring the guns to federally licensed gun dealers. The bill's provisions also extended to certain ammunition, handgun parts, or handgun appurtenances of forfeited handguns. That bill received an unfavorable report from the Senate Judicial Proceedings Committee.

**Cross File:** None.

**Information Source(s):** Montgomery County, Charles County, Somerset County, Department of State Police, Frederick County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 20, 2006  
mll/jr

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