

**Department of Legislative Services**  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**

Senate Bill 497

(Senator Haines, *et al.*)

Judicial Proceedings

Judiciary

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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 handguns 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.

**Local Effect:** Minimal. The bill may reduce costs for local police agencies that turn over or upgrade their weapon inventories.

**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.

**Background:** SB 83 of 2003 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

**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:** SB 518 of 2006, an identical bill, had a hearing in the Senate Judicial Proceedings Committee but no further action was taken.

**Cross File:** None.

**Information Source(s):** Wicomico County, Allegany County, Montgomery County, Talbot County, Baltimore City, Department of State Police, University System of Maryland, Department of Public Safety and Correctional Services, Department of Legislative Services

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