

HOUSE BILL 1446

E4

9lr0260

By: **Chair, Judiciary Committee (By Request – Departmental – State Police)**

Introduced and read first time: February 26, 2009

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Sales of Ammunition – Records**

3 FOR the purpose of requiring a person engaged in the business of selling ammunition
4 to maintain certain records of sales of ammunition; requiring the Secretary of
5 State Police to adopt certain regulations; requiring a person engaged in the
6 business of selling ammunition to allow inspection of certain records by a law
7 enforcement officer at certain times; requiring a law enforcement officer to
8 conduct a certain inspection in a certain manner under certain circumstances;
9 requiring a person who purchases ammunition to present certain identification;
10 establishing a certain civil penalty for a violation of this Act; defining certain
11 terms; and generally relating to records of ammunition sales.

12 BY adding to

13 Article – Public Safety

14 Section 5–601 through 5–604 to be under the new subtitle “Subtitle 6.
15 Ammunition”

16 Annotated Code of Maryland

17 (2003 Volume and 2008 Supplement)

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

20 **Article – Public Safety**

21 **SUBTITLE 6. AMMUNITION.**

22 **5–601.**

23 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
24 INDICATED.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) “AMMUNITION” HAS THE MEANING STATED IN § 4-104 OF THE**
2 **CRIMINAL LAW ARTICLE.**

3 **(C) “LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN §**
4 **3-101 OF THIS ARTICLE.**

5 **5-602.**

6 **(A) A PERSON ENGAGED IN THE BUSINESS OF SELLING AMMUNITION**
7 **SHALL KEEP DETAILED RECORDS OF ALL AMMUNITION SALES.**

8 **(B) (1) THE SECRETARY SHALL ADOPT REGULATIONS SPECIFYING:**

9 **(I) THE INFORMATION THAT THE RECORDS SHALL**
10 **CONTAIN; AND**

11 **(II) THE FORM IN WHICH THE RECORDS ARE TO BE KEPT.**

12 **(2) THE RECORD SHALL INCLUDE, FOR EACH SALE OF**
13 **AMMUNITION:**

14 **(I) THE DATE OF SALE;**

15 **(II) THE PURCHASER’S FULL NAME, ADDRESS, AND DATE OF**
16 **BIRTH;**

17 **(III) A DESCRIPTION OF THE FORM OF IDENTIFICATION USED**
18 **TO PURCHASE THE AMMUNITION; AND**

19 **(IV) A DESCRIPTION OF THE TYPE AND QUANTITY OF**
20 **AMMUNITION PURCHASED.**

21 **(C) (1) DURING BUSINESS HOURS, A PERSON ENGAGED IN THE**
22 **BUSINESS OF SELLING AMMUNITION SHALL ALLOW INSPECTION OF THE**
23 **AMMUNITION SALES RECORD BY A LAW ENFORCEMENT OFFICER.**

24 **(2) ON REQUEST OF THE PERSON ENGAGED IN THE BUSINESS OF**
25 **SELLING AMMUNITION, THE LAW ENFORCEMENT OFFICER SHALL MAKE THE**
26 **INSPECTION IN THE PRESENCE OF THE PERSON.**

27 **5-603.**

1 **AN INDIVIDUAL WHO PURCHASES AMMUNITION SHALL PRESENT TO THE**
2 **SELLER A FORM OF IDENTIFICATION ISSUED BY A GOVERNMENT UNIT THAT**
3 **CONTAINS A PHOTOGRAPH OF THE INDIVIDUAL MAKING THE PURCHASE.**

4 **5-604.**

5 **(A) A PERSON ENGAGED IN THE BUSINESS OF SELLING AMMUNITION**
6 **WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL PENALTY FOR EACH**
7 **VIOLATION NOT EXCEEDING \$500 IMPOSED BY THE SECRETARY.**

8 **(B) IN SETTING THE AMOUNT OF A CIVIL PENALTY UNDER THIS**
9 **SECTION, THE SECRETARY SHALL CONSIDER:**

10 **(1) THE SERIOUSNESS OF THE VIOLATION;**

11 **(2) THE GOOD FAITH OF THE VIOLATOR;**

12 **(3) ANY PREVIOUS VIOLATIONS; AND**

13 **(4) ANY OTHER RELEVANT FACTORS.**

14 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
15 **October 1, 2009.**