

HOUSE BILL 1501

E1, E4

9lr2029

By: **Prince George's County Delegation**

Introduced and read first time: March 4, 2009

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Ammunition Sales to Minors - Penalties**

3 **PG 324-09**

4 FOR the purpose of prohibiting a person from selling, giving, or otherwise
5 transferring, or attempting to sell, give, or otherwise transfer certain
6 ammunition to a minor in Prince George's County; prohibiting a minor from
7 purchasing or attempting to purchase certain ammunition or possessing
8 ammunition in a public place; prohibiting a person from selling, giving, or
9 otherwise transferring or attempting to sell, give, or otherwise transfer certain
10 ammunition to an individual without first verifying, by certain means, that the
11 individual is not a minor; requiring each person engaged in the business of
12 selling certain ammunition to apply to the county health department for a
13 certain registration, with a certain exception; requiring the registration to be on
14 a certain form, contain certain information, and be supplemented within a
15 certain period of any change of certain information; establishing certain
16 registration fees; requiring each person engaged in the business of selling
17 certain ammunition to post conspicuously in that person's place of business a
18 certain notice and keep a certain log of ammunition sales; requiring that the
19 sales log be kept in a certain location and made available for inspection by
20 certain individuals; requiring the county health department to adopt certain
21 regulations; providing penalties for a violation of this Act; defining certain
22 terms; providing for the application of this Act; and generally relating to the
23 sale of ammunition to minors in Prince George's County.

24 BY repealing and reenacting, without amendments,
25 Article - Public Safety
26 Section 5-101(a) and (h)
27 Annotated Code of Maryland
28 (2003 Volume and 2008 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Public Safety
3 Section 5–601 through 5–610 to be under the new subtitle “Subtitle 6. Sales of
4 Ammunition to Minors – Prince George’s County”
5 Annotated Code of Maryland
6 (2003 Volume and 2008 Supplement)

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

9 **Article – Public Safety**

10 **5–101.**

11 (a) In this subtitle the following words have the meanings indicated.

12 (h) (1) “Firearm” means:

13 (i) a weapon that expels, is designed to expel, or may readily be
14 converted to expel a projectile by the action of an explosive; or

15 (ii) the frame or receiver of such a weapon.

16 (2) “Firearm” includes a starter gun.

17 **SUBTITLE 6. SALES OF AMMUNITION TO MINORS – PRINCE GEORGE’S**
18 **COUNTY.**

19 **5–601.**

20 (A) **IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS**
21 **INDICATED.**

22 (B) **“AMMUNITION” MEANS A CARTRIDGE, SHELL, OR OTHER DEVICE**
23 **THAT CONTAINS EXPLOSIVE OR INCENDIARY MATERIAL AND IS DESIGNED OR**
24 **INTENDED FOR USE IN A FIREARM.**

25 (C) **“FIREARM” HAS THE MEANING STATED IN § 5–101 OF THIS TITLE.**

26 **5–602.**

27 **THIS SUBTITLE APPLIES IN PRINCE GEORGE’S COUNTY ONLY.**

28 **5–603.**

1 **A PERSON MAY NOT SELL, GIVE, OR OTHERWISE TRANSFER, OR ATTEMPT**
2 **TO SELL, GIVE, OR OTHERWISE TRANSFER AMMUNITION TO A MINOR.**

3 **5-604.**

4 **A MINOR MAY NOT:**

5 (1) **PURCHASE OR ATTEMPT TO PURCHASE AMMUNITION; OR**

6 (2) **POSSESS AMMUNITION IN A PUBLIC PLACE.**

7 **5-605.**

8 **A PERSON MAY NOT SELL, GIVE, OR OTHERWISE TRANSFER, OR ATTEMPT**
9 **TO SELL, GIVE, OR OTHERWISE TRANSFER, AMMUNITION TO AN INDIVIDUAL**
10 **WITHOUT FIRST VERIFYING, BY MEANS OF PHOTOGRAPHIC IDENTIFICATION**
11 **CONTAINING THE INDIVIDUAL'S NAME AND DATE OF BIRTH, THAT THE**
12 **INDIVIDUAL IS NOT A MINOR.**

13 **5-606.**

14 **(A) (1) THIS SECTION DOES NOT APPLY TO A PERSON WHO IS**
15 **LICENSED UNDER SUBTITLE 1 OF THIS TITLE AS A REGULATED FIREARMS**
16 **DEALER.**

17 (2) **EACH PERSON ENGAGED IN THE BUSINESS OF SELLING**
18 **AMMUNITION SHALL APPLY TO THE COUNTY HEALTH DEPARTMENT FOR A**
19 **"PROTECTIONS OF MINORS" REGISTRATION.**

20 **(B) THE REGISTRATION SHALL:**

21 (1) **BE ON THE FORM THAT THE COUNTY HEALTH DEPARTMENT**
22 **PROVIDES;**

23 (2) **CONTAIN THE INFORMATION THAT THE COUNTY HEALTH**
24 **DEPARTMENT REQUIRES; AND**

25 (3) **BE SUPPLEMENTED WITHIN 30 DAYS OF ANY CHANGE IN THE**
26 **INFORMATION SUBMITTED.**

27 **(C) THE REGISTRATION FEES ARE:**

28 (1) **INITIAL REGISTRATION OF BUSINESS - \$10.**

1 (2) **SUPPLEMENTATION OF INFORMATION – \$5.**

2 **5-607.**

3 **EACH PERSON ENGAGED IN THE BUSINESS OF SELLING AMMUNITION**
4 **SHALL POST CONSPICUOUSLY IN THAT PERSON’S PLACE OF BUSINESS A NOTICE**
5 **OF:**

6 (1) **THE PROHIBITION IN § 5-603 OF THIS SUBTITLE AGAINST THE**
7 **TRANSFER OF AMMUNITION TO MINORS; AND**

8 (2) **THE REQUIREMENT IN § 5-604 OF THIS SUBTITLE FOR AGE**
9 **VERIFICATION.**

10 **5-608.**

11 **(A) EACH PERSON ENGAGED IN THE BUSINESS OF SELLING**
12 **AMMUNITION SHALL KEEP A LOG OF ALL AMMUNITION SALES.**

13 **(B) FOR EACH SALE OF AMMUNITION, THE SALES LOG SHALL CONTAIN:**

14 (1) **A COPY OF THE SALES RECEIPT; AND**

15 (2) **A COPY OF THE PURCHASER’S PHOTOGRAPHIC**
16 **IDENTIFICATION, CLEARLY SHOWING THE PURCHASER’S NAME AND DATE OF**
17 **BIRTH.**

18 **(C) DURING BUSINESS HOURS, THE SALES LOG SHALL BE KEPT NEAR**
19 **THE CASH REGISTER OR SIMILAR DEVICE AND MADE AVAILABLE FOR**
20 **INSPECTION BY A COUNTY POLICE OFFICER OR A DESIGNEE OF THE COUNTY**
21 **HEALTH DEPARTMENT.**

22 **5-609.**

23 **THE COUNTY HEALTH DEPARTMENT SHALL ADOPT REGULATIONS THAT**
24 **PROVIDE:**

25 (1) **REGISTRATION INFORMATION TO BE PROVIDED AND, FROM**
26 **TIME TO TIME, SUPPLEMENTED UNDER § 5-606 OF THIS SUBTITLE;**

27 (2) **THE WORDING, SIZE, AND PLACEMENT OF THE NOTICES**
28 **REQUIRED BY § 5-607 OF THIS SUBTITLE; AND**

1 **(3) THE FORM OF AND INFORMATION TO BE RECORDED IN THE**
2 **SALES LOG REQUIRED BY § 5-608 OF THIS SUBTITLE.**

3 **5-610.**

4 **A PERSON WHO VIOLATES THIS SUBTITLE IS GUILTY OF A MISDEMEANOR**
5 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR**
6 **OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

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