

HOUSE BILL 618

E4
HB 730/11 – JUD

2lr1925

By: **Delegates Simmons, Dumais, and Kramer**

Introduced and read first time: February 6, 2012

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2012

CHAPTER _____

1 AN ACT concerning

2 **Task Force to Study Access of Individuals with Mental Illness to Regulated**
3 **Firearms**

4 FOR the purpose of establishing a Task Force to Study Access of Individuals with
5 Mental Illness to Regulated Firearms; providing for the membership, staffing,
6 and duties of the Task Force; requiring the Governor to appoint the chair of the
7 Task Force; prohibiting a member of the Task Force from receiving certain
8 compensation; authorizing a member of the Task Force to receive
9 reimbursement for certain expenses; requiring the Task Force to report to the
10 Governor and the General Assembly by a certain date; providing for the
11 termination of this Act; and generally relating to the establishment of a Task
12 Force to Study Access of Individuals with Mental Illness to Regulated Firearms.

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That:

15 (a) There is a Task Force to Study Access of Individuals with Mental Illness
16 to Regulated Firearms.

17 (b) The Task Force consists of the following members:

18 (1) the Secretary of State Police, or the Secretary's designee;

19 (2) the Secretary of Health and Mental Hygiene, or the Secretary's
20 designee;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (3) the Attorney General, or the Attorney General's designee;

2 (4) the Chief Administrative Law Judge of the Office of Administrative
3 Hearings, or the Judge's designee;

4 (5) the Public Defender of Maryland, or the Public Defender's
5 designee;

6 (6) the Director of the Office of Forensic Services in the Department of
7 Health and Mental Hygiene, or the Director's designee; and

8 (7) the following individuals, appointed by the Governor:

9 (i) one representative of the Maryland Fraternal Order of
10 Police;

11 (ii) one representative of the Johns Hopkins Center for Gun
12 Policy and Research;

13 (iii) one representative of ~~the National Rifle Association~~
14 Maryland Shall Issue, Inc.;

15 (iv) one representative of the Mental Health Association of
16 Maryland;

17 (v) one representative of the Maryland Disability Law Center;
18 ~~and~~

19 (vi) one representative of the National Alliance on Mental
20 Illness of Maryland;

21 (vii) one representative of Associated Gun Clubs of Baltimore,
22 Inc.;

23 (viii) one representative of the Maryland Chiefs of Police
24 Association;

25 (ix) one representative of the Maryland Sheriffs' Association;
26 and

27 (x) one representative of the Maryland State's Attorneys'
28 Association.

29 (c) The Governor shall designate the chair of the Task Force.

1 (d) The Governor's Office of Crime Control and Prevention shall provide staff
2 for the Task Force.

3 (e) A member of the Task Force:

4 (1) may not receive compensation as a member of the Task Force; but

5 (2) is entitled to reimbursement for expenses under the Standard
6 State Travel Regulations, as provided in the State budget.

7 (f) The Task Force shall:

8 (1) study the adequacy of State laws and policies relating to:

9 (i) the access of individuals with a history of mental illness to
10 regulated firearms; and

11 (ii) the access of law enforcement officers to mental health
12 records; ~~and~~

13 (2) consider whether existing law adequately protects the public, as
14 well as the civil rights of individuals with mental illness, and make recommendations
15 as appropriate; and

16 ~~(2) (3) consider and make recommendations regarding legislative options~~
17 ~~for whether, and to what extent:~~

18 (i) ~~further limiting~~ there should be further limits on the access
19 of individuals with a history of mental illness to regulated firearms; and

20 (ii) ~~expanding the~~ the State should expand access of law
21 enforcement officers to certain mental health records.

22 (g) On or before December 31, 2012, the Task Force shall report its findings
23 and recommendations, including recommendations regarding legislative options, to
24 the Governor and, in accordance with § 2-1246 of the State Government Article, the
25 General Assembly.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 June 1, 2012. It shall remain effective for a period of 1 year and, at the end of May 31,
28 2013, with no further action required by the General Assembly, this Act shall be
29 abrogated and of no further force and effect.