

SENATE BILL 514

E4

(2lr1793)

ENROLLED BILL

— Judicial Proceedings/Judiciary —

Introduced by **Senator Shank**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Law Enforcement Handgun Disposal – Deceased Officers**

3 FOR the purpose of authorizing a law enforcement agency to transfer the handgun of a
4 law enforcement officer who is killed or dies in the performance of duty to
5 ~~certain members of the deceased officer's family or to the deceased officer's~~
6 ~~estate; authorizing a law enforcement agency to render the handgun of a~~
7 ~~deceased officer inoperable before transfer~~ the next of kin of the deceased officer
8 under certain circumstances; and generally relating to the disposal of handguns
9 by law enforcement agencies.

10 BY repealing and reenacting, with amendments,
11 Article – Public Safety
12 Section 3–501
13 Annotated Code of Maryland
14 (2011 Replacement Volume)

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.

Italics indicate opposite chamber/conference committee amendments.



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

3 **Article – Public Safety**

4 3–501.

5 (a) In this section, “manufacturer” has the meaning stated in § 5–131(a)(2) of
6 this article.

7 (b) **[A] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A**
8 law enforcement agency seeking to dispose of a handgun owned by the agency shall:

9 (1) destroy the handgun;

10 (2) sell, exchange, or transfer the handgun to another law enforcement
11 agency for official use by that agency;

12 (3) sell the handgun to a retired police employee in accordance with §
13 2–415(c) of this article;

14 (4) sell the handgun to the law enforcement officer to whom the
15 handgun was assigned; or

16 (5) sell, exchange, or transfer the handgun to a manufacturer.

17 (c) ~~(1) IF A LAW ENFORCEMENT OFFICER IS KILLED OR DIES IN THE~~
18 ~~PERFORMANCE OF DUTY, A LAW ENFORCEMENT AGENCY MAY TRANSFER THE~~
19 ~~HANDGUN OF THE DECEASED OFFICER TO:~~

20 ~~(I) A MEMBER OF THE IMMEDIATE FAMILY OF THE~~
21 ~~DECEASED OFFICER; OR~~

22 ~~(H) THE ESTATE OF THE DECEASED OFFICER.~~

23 ~~(2) A LAW ENFORCEMENT AGENCY MAY RENDER THE HANDGUN~~
24 ~~OF THE DECEASED OFFICER INOPERABLE BEFORE TRANSFERRING THE~~
25 ~~HANDGUN TO THE NEXT OF KIN OF THE DECEASED OFFICER, IF:~~

26 ~~(1) THE REQUIREMENTS OF TITLE 5, SUBTITLE 1 OF THIS~~
27 ~~ARTICLE RELATING TO FIREARMS APPLICATIONS ARE MET; AND~~

28 ~~(2) THE HANDGUN OF THE DECEASED OFFICER IS RENDERED~~
29 ~~INOPERABLE BEFORE THE TRANSFER OF THE HANDGUN.~~

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.