

Chapter 247

(Senate Bill 514)

AN ACT concerning

Public Safety – Law Enforcement Handgun Disposal – Deceased Officers

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

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–501

Annotated Code of Maryland

(2011 Replacement Volume)

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

Article – Public Safety

3–501.

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

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

(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 in accordance with § 2–415(c) of this article;

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

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

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

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

~~(II) THE ESTATE OF THE DECEASED OFFICER.~~

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

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

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

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

Approved by the Governor, May 2, 2012.