

Chapter 248

(House Bill 396)

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 IF THE PERSON HAS A PERMIT TO CARRY, WEAR, OR TRANSPORT A HANDGUN UNDER § 5-303 OF THIS ARTICLE; 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 TO THE NEXT OF KIN OF THE DECEASED OFFICER, IF THE REQUIREMENTS OF TITLE 5, SUBTITLE 1 OF THIS ARTICLE RELATING TO FIREARMS APPLICATIONS ARE MET.~~

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

Approved by the Governor, May 2, 2012.