

HOUSE BILL 426

E4

3lr1685

By: **Delegates Dwyer, Carter, Conaway, Eckardt, Fisher, George, Glass, Hough, Impallaria, K. Kelly, Kipke, McComas, McConkey, McDermott, McDonough, Myers, Norman, Parrott, Schuh, Smigiel, Sophocleus, Stocksdale, Vitale, Weir, and Wood**

Introduced and read first time: January 28, 2013

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Firearm Ammunition – Purchaser Information**

3 FOR the purpose of prohibiting, with certain exceptions, a person that sells
4 ammunition from requiring the purchaser of the ammunition to provide
5 personal identification information as a condition of purchase, collecting
6 personal identification information of the purchaser of ammunition on behalf of
7 a law enforcement agency, or providing to others the personal identification
8 information of the purchaser of the ammunition; establishing penalties for a
9 violation of this Act; providing that each violation of this Act is a separate
10 crime; defining a term; and generally relating to the sale of ammunition.

11 BY repealing and reenacting, without amendments,
12 Article – Criminal Law
13 Section 4–104(a)(1) and (2)
14 Annotated Code of Maryland
15 (2012 Replacement Volume and 2012 Supplement)

16 BY adding to
17 Article – Public Safety
18 Section 5–144
19 Annotated Code of Maryland
20 (2011 Replacement Volume and 2012 Supplement)

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

23 **Article – Criminal Law**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4-104.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) "Ammunition" means a cartridge, shell, or other device containing
4 explosive or incendiary material designed and intended for use in a firearm.

5 **Article – Public Safety**

6 **5-144.**

7 **(A) IN THIS SECTION, "AMMUNITION" HAS THE MEANING STATED IN §**
8 **4-104(A) OF THE CRIMINAL LAW ARTICLE.**

9 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
10 **SUBSECTION, A PERSON THAT SELLS AMMUNITION MAY NOT:**

11 **(I) REQUIRE THE PURCHASER OF THE AMMUNITION TO**
12 **PROVIDE PERSONAL IDENTIFICATION INFORMATION AS A CONDITION OF**
13 **PURCHASE;**

14 **(II) COLLECT PERSONAL IDENTIFICATION INFORMATION OF**
15 **THE PURCHASER OF AMMUNITION ON BEHALF OF A LAW ENFORCEMENT**
16 **AGENCY; OR**

17 **(III) PROVIDE TO OTHERS THE PERSONAL IDENTIFICATION**
18 **INFORMATION OF THE PURCHASER OF THE AMMUNITION.**

19 **(2) THIS SUBSECTION DOES NOT PROHIBIT A SELLER OF**
20 **AMMUNITION FROM:**

21 **(I) REQUIRING PROOF OF AGE FROM A PURCHASER OF**
22 **AMMUNITION; OR**

23 **(II) COLLECTING CREDIT INFORMATION REGARDING THE**
24 **PURCHASER OF AMMUNITION NECESSARY TO ALLOW THE SALE.**

25 **(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A**
26 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
27 **EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$5,000 OR BOTH.**

28 **(D) EACH VIOLATION OF THIS SECTION IS A SEPARATE CRIME.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2013.