

HOUSE BILL 1092

E4

3lr2484

By: **Delegates Gutierrez, Anderson, Carter, Clippinger, Cullison, Dumais, Ivey, A. Kelly, Lee, and Luedtke**

Introduced and read first time: February 8, 2013

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Firearms – Reporting Loss or Theft**

3 FOR the purpose of requiring certain persons who sell or transfer firearms to notify
4 certain purchasers or recipients at the time of purchase or transfer that the
5 purchaser or recipient is required to report a lost or stolen firearm to a certain
6 law enforcement agency; requiring the owner of a firearm to report the loss or
7 theft of a firearm to a certain law enforcement agency within a certain period of
8 time after the owner discovers the loss or theft; requiring a law enforcement
9 agency on receipt of a report of a lost or stolen firearm to report certain
10 information to the Secretary of State Police and enter certain information into a
11 certain database; establishing certain civil penalties; providing that the
12 imposition of a certain penalty under this Act does not preclude the pursuit of
13 any other authorized civil remedy or criminal prosecution; and generally
14 relating to reports of lost or stolen firearms.

15 BY adding to

16 Article – Public Safety

17 Section 5–144

18 Annotated Code of Maryland

19 (2011 Replacement Volume and 2012 Supplement)

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

22 **Article – Public Safety**

23 **5–144.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) A DEALER OR ANY OTHER PERSON WHO SELLS OR TRANSFERS A**
2 **FIREARM SHALL NOTIFY THE PURCHASER OR RECIPIENT OF THE FIREARM AT**
3 **THE TIME OF PURCHASE OR TRANSFER THAT THE PURCHASER OR RECIPIENT IS**
4 **REQUIRED TO REPORT A LOST OR STOLEN FIREARM TO THE LOCAL LAW**
5 **ENFORCEMENT AGENCY AS REQUIRED UNDER SUBSECTION (B) OF THIS**
6 **SECTION.**

7 **(B) IF A FIREARM IS LOST OR STOLEN, THE OWNER OF THE FIREARM**
8 **SHALL REPORT THE LOSS OR THEFT TO THE LOCAL LAW ENFORCEMENT**
9 **AGENCY WITHIN 48 HOURS AFTER THE OWNER FIRST DISCOVERS THE LOSS OR**
10 **THEFT.**

11 **(C) ON RECEIPT OF A REPORT OF A LOST OR STOLEN FIREARM, A LOCAL**
12 **LAW ENFORCEMENT AGENCY SHALL REPORT TO THE SECRETARY AND ENTER**
13 **INTO THE NATIONAL CRIME INFORMATION CENTER (NCIC) DATABASE, TO THE**
14 **EXTENT KNOWN, THE CALIBER, MAKE, MODEL, MANUFACTURER, AND SERIAL**
15 **NUMBER OF THE FIREARM AND ANY OTHER DISTINGUISHING NUMBER OR**
16 **IDENTIFICATION MARK ON THE FIREARM.**

17 **(D) A VIOLATION OF THIS SECTION IS A CIVIL OFFENSE PUNISHABLE BY**
18 **A FINE NOT EXCEEDING \$500.**

19 **(E) THE IMPOSITION OF A CIVIL PENALTY UNDER THIS SECTION DOES**
20 **NOT PRECLUDE THE PURSUIT OF ANY OTHER CIVIL REMEDY OR CRIMINAL**
21 **PROSECUTION AUTHORIZED BY LAW.**

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