

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 719
Judiciary

(Delegate Smigiel, *et al.*)

Public Safety - Firearms - Probation Before Judgment

This bill alters the definition of the phrase “convicted of a disqualifying crime,” under provisions relating to the regulation of firearms, to allow a person who has received probation before judgment to possess a regulated firearm, rifle, or shotgun and to become a firearm dealer. The bill also allows a dealer or other person to sell, rent, or transfer a regulated firearm to a person who has received probation before judgment.

Fiscal Summary

State Effect: The bill’s changes are not expected to materially affect State operations or finances. The extent to which the bill may lead to an increase in the sales of regulated firearms, rifles, or shotguns cannot be reliably predicted. It is assumed that any increase in general fund revenues from additional sales is not significant.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: The Firearm Safety Act of 2013 (Chapter 427) modified and expanded the regulation of firearms, firearms dealers, and ammunition in Maryland and made changes to related mental health restrictions on the possession of firearms. Among other things, the Act extended the scope of assault pistol prohibitions to all assault weapons, created a new licensing scheme for handguns under the authority of the Department of State Police, and imposed restrictions on ammunition.

Under firearm disqualification provisions of Chapter 427, the definition of “convicted of a disqualifying crime” includes a case in which a person received probation before judgment for a crime of violence or a domestically related crime. “Convicted of a disqualifying crime” does not include a case in which a person received a probation before judgment for assault in the second degree or that was expunged.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of State Police, Department of Public Safety and Correctional Services, Department of Legislative Services

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mm/lgc

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