

Chapter 491

(House Bill 1629)

AN ACT concerning

Office of the Attorney General – Firearm Crime, Injuries, Fatalities, and Crime Firearms – Study

FOR the purpose of requiring the Office of the Attorney General to study and identify certain information relating to certain firearm crimes, injuries, fatalities, and crime firearms; requiring all State and local law enforcement agencies and other governmental units to provide the Office of the Attorney General with certain information; requiring the Office of the Attorney General to report certain findings and conclusions to the Governor and the General Assembly on or before certain dates; defining ~~a certain term~~ terms; providing for the termination of this Act; and generally relating to crimes involving firearms, injuries and fatalities caused by firearms, and crime firearms.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

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

(2) “Crime firearm” means a firearm that is:

(i) used in the commission of a crime of violence, as defined in § 5–101 of the Public Safety Article; or

(ii) recovered by law enforcement in connection with illegal firearm possession, transportation, or transfer.

(3) “~~firearm~~ Firearm crime” means a crime of violence, as defined in § 5–101 of the Public Safety Article, involving the use of a firearm.

(4) “Firearm injury and fatality” means an injury or fatality caused by a firearm.

(b) The Office of the Attorney General shall:

(1) study information regarding firearm crimes committed in the State since August 1, 2015, including:

(i) the number and types of firearm crimes;

(ii) the jurisdictions where the firearm crimes occurred; and

(iii) 9–1–1 requests for emergency assistance involving firearm crimes; ~~and~~

(2) identify, for each 9–1–1 request for emergency assistance involving a firearm crime:

(i) the jurisdiction;

(ii) whether any arrests were made and, if so, the age of each individual arrested;

(iii) whether any charges were filed and, if so, the specific crimes charged, disposition of each charge, and the age of each individual charged; and

(iv) the type of firearm recovered and whether the firearm had a serial number;

(3) study information regarding firearm injuries and fatalities occurring in the State since July 1, 2020, including:

(i) whether persons injured or killed were minors or adults;

(ii) the jurisdiction where the injuries or fatalities occurred; and

(iii) whether the injuries or fatalities occurred as a result of suicides, accidents, or homicides; and

(4) with regard to crime firearms:

(i) study information regarding crime firearms in the State, including:

1. the number and types of crime firearms;

2. the sources of the crime firearms, including the importer, dealer, and first purchaser for all recovered crime firearms; and

3. the jurisdictions where crime firearms were recovered;

(ii) report the crimes committed with crime firearms by jurisdiction, including:

1. the number of charges and convictions for:

A. crimes of violence;

B. illegal transfers;

C. illegal possession;

D. illegal transportation; and

E. straw purchases; and

2. the number and types of criminal charges associated with a crime firearm;

(iii) compile all available information and data regarding the source of crime firearms, including:

1. for out-of-state crime firearms:

A. the country, state, or city of origin; and

B. the location in the State where the crime firearm was recovered;

2. for in-State crime firearms:

A. the jurisdiction of origin; and

B. the location where the crime firearm was recovered;

3. information on the top 10 dealers of crime firearms in the State, including:

A. names;

B. locations; and

C. the dates and outcomes of audits conducted by the Maryland State Police of the dealers; and

4. the 10 states where the most crime firearms recovered in the State originated, including a comparison of the other states' firearm laws regarding:

A. licensing;

B. background checks;

C. waiting periods;

D. straw purchases; and

E. concealed carry laws;

(iv) collect information on the length of time between the origination and recovery of a crime firearm; and

(v) gather information regarding whether the individuals found in possession of crime firearms were previously prohibited from possessing a firearm.

(c) All State and local law enforcement agencies and other governmental units shall provide the Office of the Attorney General with any and all information necessary to complete the study.

(d) (1) On or before December 1, 2020, the Office of the Attorney General shall report its findings and conclusions with regard to firearm crimes committed, firearm injuries and fatalities occurring, and crime firearms recovered from August 1, 2015, through July 31, 2019, to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(2) On or before December 1, 2021, the Office of the Attorney General shall report its findings and conclusions with regard to firearm crimes committed, firearm injuries and fatalities occurring, and crime firearms recovered from August 1, 2019, through July 31, 2020, to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(3) On or before December 1, 2022, the Office of the Attorney General shall report its findings and conclusions with regard to firearm crimes committed, firearm injuries and fatalities occurring, and crime firearms recovered from August 1, ~~2019~~ 2020, through July 31, 2021, to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2020. It shall remain effective for a period of 2 years and 7 months and, at the end of December 31, 2022, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.