AMENDMENTS TO HOUSE BILL 1021
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 6, after “hours;” insert “requiring the Secretary of State Police to suspend a certain dealer’s license if the dealer is found in violation of a certain offense; requiring the Secretary to revoke a certain dealer’s license if the dealer is found in violation of a certain offense;”; and after line 7, insert:

“BY repealing and reenacting, with amendments,
Article - Public Safety
Section 5–114 (a) and (b)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2
On page 1, after line 15, insert:

“5–114.

(a) (1) The Secretary shall suspend a dealer’s license if the licensee:

(i) is under indictment for a crime of violence; [or]

(ii) is arrested for a violation of this subtitle that prohibits the purchase or possession of a regulated firearm; OR

(III) IS FOUND IN VIOLATION OF A SECOND OFFENSE UNDER § 5–145.1 OF THIS SUBTITLE.
(2)  (i) The Secretary may suspend a dealer’s license if the licensee is not in compliance with the record keeping and reporting requirements of § 5–145 of this subtitle.

(ii) The Secretary may lift a suspension under this paragraph after the licensee provides evidence that the record keeping violation has been corrected.

(b) The Secretary shall revoke a dealer’s license if:

(1) it is discovered that false information has been supplied or false statements have been made in an application required by this subtitle; or

(2) the licensee:

(i) is convicted of a disqualifying crime;

(ii) is convicted of a violation classified as a common law crime and receives a term of imprisonment of more than 2 years;

(iii) is a fugitive from justice;

(iv) is a habitual drunkard;

(v) is addicted to a controlled dangerous substance or is a habitual user;

(vi) has spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless the licensee produces a physician’s certificate, issued after the last institutionalization and certifying that the licensee is capable of possessing a regulated firearm without undue danger to the licensee or to another;
(vii) has knowingly or willfully manufactured, offered to sell, or sold a handgun not on the handgun roster in violation of § 5–406 of this title; [or]

(viii) has knowingly or willfully participated in a straw purchase of a regulated firearm; OR

(IX) IS FOUND IN VIOLATION OF A THIRD OR SUBSEQUENT OFFENSE UNDER § 5–145.1 OF THIS SUBTITLE.”.

AMENDMENT NO. 3

On page 2, in line 1, strike “BARS OR SECURITY SCREENS” and substitute “AT LEAST ONE OF THE FOLLOWING FEATURES”; in line 2, after “ENTRY” insert “INSTALLED”; and in line 3, strike the semicolon and substitute “;

1.  BARS;

2.  SECURITY SCREENS;

3.  COMMERCIAL GRADE METAL DOORS;

4.  GRATES; OR

5.  OTHER PHYSICAL BARRIERS APPROVED BY THE SECRETARY;”.

AMENDMENT NO. 4

On page 2, in line 6, after “(IV)” insert “IF PRACTICABLE,”; in line 7, strike “AND” and substitute “OR”; in line 12, strike “SECURE”; in the same line, after “ROOM” insert “OR BUILDING THAT MEETS THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION”; in line 13, strike “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
SUBSECTION, A” and substitute “THIS SUBSECTION DOES NOT APPLY IF THE EQUIPMENT OR ALARM SYSTEM BECAME TEMPORARILY INOPERABLE AT NO FAULT OF THE LICENSED DEALER.

(2) A”; 

and in line 16, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 5
On page 2, strike beginning with “A” in line 16 down through “WILLFULLY” in line 20 and substitute: “IN ADDITION TO THE PENALTY IMPOSED UNDER PARAGRAPH (2) OF THIS SUBSECTION, A PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES THIS SECTION IS SUBJECT TO:

(i) FOR A SECOND OFFENSE, SUSPENSION OF THE PERSON’S DEALER’S LICENSE; AND 

(ii) FOR A THIRD OR SUBSEQUENT OFFENSE, REVOCATION OF THE PERSON’S DEALER’S LICENSE.

(c) THE SECRETARY SHALL ADOPT RULES AND REGULATIONS TO DETERMINE WHETHER A LICENSED DEALER HAS MET THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION”.