

Chapter 623

(House Bill 3)

AN ACT concerning

Maryland State Police Gun Center – Firearms Surrendered Under Final Protective Orders

FOR the purpose of altering the purpose of the Maryland State Police Gun Center to include the tracking, screening, and vetting of all firearms surrendered under final protective orders in the State; requiring each law enforcement agency to report to the Center certain information on certain firearms surrendered under final protective orders; and generally relating to the Maryland State Police Gun Center.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–801 through 5–803

Annotated Code of Maryland

(2022 Replacement Volume)

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

Article – Public Safety

5–801.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Center” means the Maryland State Police Gun Center.
- (c) “Crime firearm” means a firearm that is:
 - (1) used in the commission of a crime of violence, as defined in § 5–101 of this title; or
 - (2) recovered by a law enforcement agency in connection with illegal firearm possession, transportation, or transfer.
- (d) “Department” means the Department of State Police.
- (e) “Federally licensed firearms dealer” means a person licensed by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives to deal in firearms.
- (f) “Federally licensed firearms importer” means a person licensed by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives to import firearms.

(G) “FINAL PROTECTIVE ORDER” HAS THE MEANING STATED IN § 4–501 OF THE FAMILY LAW ARTICLE.

[(g)] (H) “Law enforcement agency” has the meaning stated in § 3–201 of this article.

5–802.

(a) The Center is established within the Department as a statewide firearms enforcement center for the tracking, screening, and vetting of all:

(1) firearm crimes committed in the State; AND

(2) FIREARMS SURRENDERED UNDER FINAL PROTECTIVE ORDERS IN THE STATE.

(b) This subtitle shall be liberally construed and applied to promote its underlying purposes and policies.

5–803.

(a) The Center shall create and maintain a statewide database to track information on crimes committed with crime firearms **AND FIREARMS SURRENDERED UNDER FINAL PROTECTIVE ORDERS IN THE STATE.**

(b) Each law enforcement agency shall report to the Center the following information on crimes committed in the jurisdiction of the law enforcement agency with crime firearms:

(1) the number and type of crime firearms;

(2) the jurisdictions where crime firearms are recovered;

(3) the sources of the crime firearms recovered, if discoverable, including:

(i) the federally licensed firearms importer;

(ii) the federally licensed firearms dealer; and

(iii) the first purchaser of the crime firearm;

(4) information regarding the individual found in possession of the crime firearm, including:

- (i) the individual's age;
- (ii) the individual's jurisdiction of residence;
- (iii) the jurisdiction where the individual is charged; and
- (iv) whether the individual was prohibited from possessing a firearm;

and

- (5) any other information requested by the Center.

(C) EACH LAW ENFORCEMENT AGENCY SHALL REPORT TO THE CENTER THE FOLLOWING INFORMATION ON FIREARMS SURRENDERED UNDER FINAL PROTECTIVE ORDERS ISSUED IN THE JURISDICTION OF THE LAW ENFORCEMENT AGENCY:

(1) THE NUMBER AND TYPE OF FIREARMS;

(2) THE JURISDICTIONS WHERE FIREARMS ARE SURRENDERED; AND

(3) INFORMATION REGARDING THE INDIVIDUAL WHO SURRENDERED EACH FIREARM, INCLUDING:

(I) THE INDIVIDUAL'S AGE;

(II) THE INDIVIDUAL'S JURISDICTION OF RESIDENCE; AND

(III) ANY OTHER INFORMATION REQUESTED BY THE CENTER.

[(c)] (D) The Center may require a law enforcement agency to report any other information relating to firearm crimes committed in the jurisdiction of the law enforcement agency to assist the Center in the tracking of firearm crimes committed in the State.

[(d)] (E) The Center shall designate how often law enforcement agencies are required to report the information required under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved by the Governor, May 16, 2023.