

HB 4 In Brief

HB 4 would require a background check on all “transfers” of rifles and shotguns

- **“Transfer” is clearly defined** as any “sale, a rental, a furnishing, a gift, a loan or any other delivery, with or without consideration.”
- This comprehensive definition ensures rifles and shotguns aren’t given—under any circumstances—to people who are legally prohibited from having them.
- These checks will ensure enforcement of Maryland’s laws prohibiting gun possession by those with dangerous histories—including those convicted of serious crimes, violent domestic abusers, and those who are subject to an extreme risk protective order.
- The background check requirement is only for transfers between **unlicensed persons**. Transfers to and from licensed firearm dealers are exempt, in addition to the many exemptions below.

HB 4 creates numerous reasonable exceptions to the background check requirement

- Many **permanent transfers** would not require a background check, including:
 - transfers between immediate family members;
 - transfers involving law enforcement officers or military service members;
 - transfers of antique rifles and shotguns.
- Many **temporary transfers are also exempt**, including:
 - transfers while hunting or shooting at ranges and gun clubs;
 - transfers that are necessary to prevent harm and any transfer during which the transferee remains present;
 - transfers in the presence of the rifle or shotgun owner.
- For all non-exempt transfers, the transfer must be facilitated by licensed firearm dealer.

HB 4 lays out clear requirements for dealers who facilitate rifle and shotgun transfers

- Dealers must treat the transfer as though selling the weapon from their own inventory and **comply with all background check and recordkeeping requirements**.
- FFLs across the country routinely facilitate these types of transfers—whether required by state law or because sellers voluntarily request their help. The **ATF publishes guidance for FFLs** on how to facilitate private transfers, in which they state that dealer-facilitated sales **“can enhance public safety, assist law enforcement, and help ensure firearms end up only in the hands of those who are legally allowed to possess them.**