BY: Delegate Kipke

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AMENDMENTS TO HOUSE BILL 4
(First Reading File Bill)

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AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Regulated Firearms – Straw Purchase – Penalties".

On pages 1 through 5, strike in their entirety the lines beginning with line 3 on page 1 through line 4 on page 5 and substitute:

"FOR the purpose of altering the penalties for knowingly participating in a straw purchase of a regulated firearm for certain persons; prohibiting a court from suspending any part of a certain mandatory minimum sentence; providing that a certain person is not eligible for parole during a certain mandatory minimum sentence; making certain technical corrections; and generally relating to straw purchases of regulated firearms.

BY repealing and reenacting, with amendments,
        Article – Public Safety
        Section 5–141
        Annotated Code of Maryland
        (2018 Replacement Volume and 2019 Supplement)

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

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Article – Public Safety

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5–141.

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(Over)

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(a)   A dealer or other person may not be a knowing participant in a straw purchase of a regulated firearm [to] **FOR** a minor or [to] **FOR** a person prohibited by law from possessing a regulated firearm.

(b)   **(1)**   A person who violates this section is guilty of a [misdemeanor] **FELONY** and [on]**:**

           (I)   **FOR A FIRST** conviction**,** is subject to imprisonment **FOR NOT LESS THAN 2 YEARS AND** not exceeding 10 years or a fine not exceeding $25,000 or both**; AND**

           (II)   FOR A SECOND OR SUBSEQUENT CONVICTION, IS SUBJECT TO IMPRISONMENT FOR NOT LESS THAN 5 YEARS AND NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING $25,000 OR BOTH.

           (2)   THE COURT MAY NOT SUSPEND ANY PART OF THE APPLICABLE MANDATORY MINIMUM SENTENCE OF 2 YEARS OR 5 YEARS.

           (3)   THE PERSON IS NOT ELIGIBLE FOR PAROLE DURING THE MANDATORY MINIMUM SENTENCE.

(c)   Each violation of this section is a separate crime."

AMENDMENT NO. 2
      Strike the House Judiciary Committee Amendments (HB0004/182311/1) in their entirety.