

HOUSE BILL 3

E4

(PRE-FILED)

3lr0812
CF SB 185

By: **Delegate Bartlett**

Requested: November 15, 2022

Introduced and read first time: January 11, 2023

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 25, 2023

CHAPTER _____

1 AN ACT concerning

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

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

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 5–801 through 5–803
12 Annotated Code of Maryland
13 (2022 Replacement Volume)

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

16 **Article – Public Safety**

17 5–801.

18 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) “Center” means the Maryland State Police Gun Center.

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

3 (1) used in the commission of a crime of violence, as defined in § 5–101 of
4 this title; or

5 (2) recovered by a law enforcement agency in connection with illegal
6 firearm possession, transportation, or transfer.

7 (d) “Department” means the Department of State Police.

8 (e) “Federally licensed firearms dealer” means a person licensed by the federal
9 Bureau of Alcohol, Tobacco, Firearms and Explosives to deal in firearms.

10 (f) “Federally licensed firearms importer” means a person licensed by the federal
11 Bureau of Alcohol, Tobacco, Firearms and Explosives to import firearms.

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

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

16 5–802.

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

19 **(1)** firearm crimes committed in the State; **AND**

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

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

24 5–803.

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

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

- 1 (1) the number and type of crime firearms;
- 2 (2) the jurisdictions where crime firearms are recovered;
- 3 (3) the sources of the crime firearms recovered, if discoverable, including:
 - 4 (i) the federally licensed firearms importer;
 - 5 (ii) the federally licensed firearms dealer; and
 - 6 (iii) the first purchaser of the crime firearm;
- 7 (4) information regarding the individual found in possession of the crime
8 firearm, including:
 - 9 (i) the individual's age;
 - 10 (ii) the individual's jurisdiction of residence;
 - 11 (iii) the jurisdiction where the individual is charged; and
 - 12 (iv) whether the individual was prohibited from possessing a firearm;
 - 13 and
- 14 (5) any other information requested by the Center.

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

- 19 **(1) THE NUMBER AND TYPE OF FIREARMS;**
- 20 **(2) THE JURISDICTIONS WHERE FIREARMS ARE SURRENDERED; AND**
- 21 **(3) INFORMATION REGARDING THE INDIVIDUAL WHO SURRENDERED**
22 **EACH FIREARM, INCLUDING:**
 - 23 **(I) THE INDIVIDUAL'S AGE;**
 - 24 **(II) THE INDIVIDUAL'S JURISDICTION OF RESIDENCE; AND**
 - 25 **(III) ANY OTHER INFORMATION REQUESTED BY THE CENTER.**

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.