

HOUSE BILL 119

E4

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By: **Chair, Judiciary Committee (By Request – Departmental – State Police)**

Introduced and read first time: January 18, 2010

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Department of State Police – Firearm Applications – Authority of Secretary**

3 FOR the purpose of providing that, in addition to the current methods for transferring
4 a firearm application to the Secretary of State Police, a firearm application may
5 be transferred to the Secretary by any other method pre-approved by the
6 Secretary; and generally relating to the Department of State Police and the
7 application to purchase a firearm.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 5–120
11 Annotated Code of Maryland
12 (2003 Volume and 2009 Supplement)

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

15 **Article – Public Safety**

16 5–120.

17 (a) (1) On receipt of a firearm application, a licensee or designated law
18 enforcement agency shall promptly forward one copy of it to the Secretary by [certified
19 mail or facsimile machine]:

20 (I) **CERTIFIED MAIL;**

21 (II) **FACSIMILE MACHINE; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (III) ANY OTHER METHOD PRE-APPROVED BY THE
2 SECRETARY.

3 (2) The copy of the firearm application forwarded to the Secretary
4 shall contain the name, address, and signature of the prospective seller, lessor, or
5 transferor.

6 (b) (1) The prospective seller, lessor, or transferor shall keep one copy of
7 the firearm application for not less than 3 years.

8 (2) The firearm applicant is entitled to the remaining copy of the
9 firearm application.

10 (c) (1) Except as provided in paragraph (2) of this subsection, the licensee
11 or designated law enforcement agency shall forward the \$10 application fee with the
12 firearm application to the Secretary.

13 (2) A licensee or designated law enforcement agency that uses a
14 facsimile machine to forward the firearm application to the Secretary shall:

15 (i) be billed \$10 for each firearm application forwarded to the
16 Secretary during the month; and

17 (ii) pay the total application fee by the fifteenth day of the
18 following month.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2010.