

HB0888/642411/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 888

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “activator” insert “, subject to a certain exception”; in line 7, after “terms;” insert “providing for a delayed effective date for certain provisions of this Act;”; and after line 18, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4–305.1

Annotated Code of Maryland

(2012 Replacement Volume and 2017 Supplement)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 3, after line 3, insert:

“(E) “BINARY TRIGGER SYSTEM” MEANS A DEVICE THAT, WHEN INSTALLED IN OR ATTACHED TO A FIREARM, FIRES BOTH WHEN THE TRIGGER IS PULLED AND ON RELEASE OF THE TRIGGER.

“(F) “BUMP STOCK” MEANS A DEVICE THAT, WHEN INSTALLED IN OR ATTACHED TO A FIREARM, INCREASES THE RATE OF FIRE OF THE FIREARM BY USING ENERGY FROM THE RECOIL OF THE FIREARM TO GENERATE A RECIPROCATING ACTION THAT FACILITATES REPEATED ACTIVATION OF THE TRIGGER.

(Over)

(G) “BURST TRIGGER SYSTEM” MEANS A DEVICE THAT, WHEN INSTALLED IN OR ATTACHED TO A FIREARM, ALLOWS THE FIREARM TO DISCHARGE TWO OR MORE SHOTS WITH A SINGLE PULL OF THE TRIGGER BY ALTERING THE TRIGGER RESET.”;

in lines 4, 20, 23, 25, and 28, strike “(e)”, “(f)”, “(g)”, “(h)”, and “(J)”, respectively, and substitute “(H)”, “(I)”, “(J)”, “(L)”, and “(M)”, respectively; after line 24, insert:

“(K) “HELLFIRE TRIGGER” MEANS A DEVICE THAT, WHEN INSTALLED IN OR ATTACHED TO A FIREARM, DISENGAGES THE TRIGGER RETURN SPRING WHEN THE TRIGGER IS PULLED.”;

and strike line 27 in its entirety.

On pages 3 and 4, strike beginning with “ANY” in line 28 on page 3 down through “PARTS” in line 4 on page 4 and substitute “**ANY DEVICE, INCLUDING A REMOVABLE MANUAL OR POWER-DRIVEN ACTIVATING DEVICE, CONSTRUCTED SO THAT, WHEN INSTALLED IN OR ATTACHED TO A FIREARM:**

(I) THE RATE AT WHICH THE TRIGGER IS ACTIVATED INCREASES; OR

(II) THE RATE OF FIRE INCREASES”.

On page 4, in line 6, strike “AND TRIGGER CRANK” and substitute “**, TRIGGER CRANK, HELLFIRE TRIGGER, BINARY TRIGGER SYSTEM, BURST TRIGGER SYSTEM, OR A COPY OR A SIMILAR DEVICE, REGARDLESS OF THE PRODUCER OR MANUFACTURER.**

(3) “RAPID FIRE TRIGGER ACTIVATOR” DOES NOT INCLUDE A SEMI-AUTOMATIC REPLACEMENT TRIGGER THAT IMPROVES THE PERFORMANCE AND FUNCTIONALITY OVER THE STOCK TRIGGER”;

and after line 6, insert:

“(N) “TRIGGER CRANK” MEANS A DEVICE THAT, WHEN INSTALLED IN OR ATTACHED TO A FIREARM, REPEATEDLY ACTIVATES THE TRIGGER OF THE FIREARM THROUGH THE USE OF A CRANK, A LEVER, OR ANY OTHER PART THAT IS TURNED IN A CIRCULAR MOTION.”

AMENDMENT NO. 3

On page 4, in line 8, strike “A” and substitute “**(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**”; and after line 12, insert:

“(B) THIS SECTION DOES NOT APPLY TO THE POSSESSION OF A RAPID FIRE TRIGGER ACTIVATOR BY A PERSON WHO:

(1) POSSESSED THE RAPID FIRE TRIGGER ACTIVATOR BEFORE OCTOBER 1, 2018;

(2) APPLIED TO THE FEDERAL BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES BEFORE OCTOBER 1, 2018, FOR AUTHORIZATION TO POSSESS A RAPID FIRE TRIGGER ACTIVATOR; AND

(3) IS IN COMPLIANCE WITH ALL FEDERAL REQUIREMENTS FOR POSSESSION OF A RAPID FIRE TRIGGER ACTIVATOR.”

On page 5, after line 4, insert:

(Over)

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Criminal Law

4–305.1.

(a) Except as provided in subsection (b) of this section, a person may not:

(1) transport a rapid fire trigger activator into the State; or

(2) manufacture, possess, sell, offer to sell, transfer, purchase, or receive a rapid fire trigger activator.

(b) This section does not apply to the possession of a rapid fire trigger activator by a person who:

(1) possessed the rapid fire trigger activator before October 1, 2018;

(2) applied to the federal Bureau of Alcohol, Tobacco, Firearms and Explosives before October 1, 2018, for authorization to possess a rapid fire trigger activator; [and]

(3) **RECEIVED AUTHORIZATION TO POSSESS A RAPID FIRE TRIGGER ACTIVATOR FROM THE FEDERAL BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES BEFORE OCTOBER 1, 2019; AND**

(4) is in compliance with all federal requirements for possession of a rapid fire trigger activator.

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SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2019.”;

in line 5, strike “2.” and substitute “4.”; and in the same line, after “That” insert “. except as provided in Section 3 of this Act.”.