

# SENATE BILL 773

E4

2lr1916

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By: **Senator Carter**

Introduced and read first time: February 7, 2022

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Firearms Dealers – Storage Vaults for Regulated Firearms**

3 FOR the purpose of requiring an applicant for a regulated firearms dealer’s license to  
4 provide evidence satisfactory to the Secretary of State Police that the applicant’s  
5 proposed place of business has a certain vault to store all regulated firearms to be  
6 offered for sale; requiring a licensee to store all regulated firearms for sale in a  
7 certain vault when the licensee’s place of business is closed; requiring a certain  
8 licensee to comply with the storage requirement on or before a certain date; and  
9 generally relating to regulated firearms dealers and regulated firearms.

10 BY adding to

11 Article – Public Safety

12 Section 5–110.1

13 Annotated Code of Maryland

14 (2018 Replacement Volume and 2021 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Public Safety

17 Section 5–114

18 Annotated Code of Maryland

19 (2018 Replacement Volume and 2021 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

21 That the Laws of Maryland read as follows:

22 **Article – Public Safety**

23 **5–110.1.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(A) BEFORE THE SECRETARY ISSUES A DEALER’S LICENSE TO AN**  
2 **APPLICANT, THE APPLICANT SHALL PROVIDE EVIDENCE SATISFACTORY TO THE**  
3 **SECRETARY THAT THE APPLICANT’S PROPOSED PLACE OF BUSINESS HAS A VAULT**  
4 **THAT IS SECURED TO THE FLOOR AND THAT CAN HOLD ALL OF THE REGULATED**  
5 **FIREARMS TO BE OFFERED FOR SALE.**

6           **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**  
7 **WHEN A LICENSEE’S PLACE OF BUSINESS IS CLOSED, THE LICENSEE SHALL STORE**  
8 **ALL REGULATED FIREARMS FOR SALE IN A VAULT DESCRIBED IN SUBSECTION (A) OF**  
9 **THIS SECTION.**

10           **(2) A PERSON WHO HOLDS A DEALER’S LICENSE ON OR BEFORE**  
11 **OCTOBER 1, 2022, SHALL COMPLY WITH THIS SUBSECTION ON OR BEFORE JULY 1,**  
12 **2023.**

13 5–114.

14           (a) (1) The Secretary shall suspend a dealer’s license if the licensee:

15                   (i) is under indictment for a crime of violence; or

16                   (ii) is arrested for a violation of this subtitle that prohibits the  
17 purchase or possession of a regulated firearm.

18           (2) (i) The Secretary may suspend a dealer’s license if the licensee is  
19 not in compliance with the record keeping and reporting requirements of § 5–145 of this  
20 subtitle.

21                   (ii) The Secretary may lift a suspension under this paragraph after  
22 the licensee provides evidence that the record keeping violation has been corrected.

23           (b) The Secretary shall revoke a dealer’s license if:

24                   (1) it is discovered that false information has been supplied or false  
25 statements have been made in an application required by this subtitle; or

26                   (2) the licensee:

27                           (i) is convicted of a disqualifying crime;

28                           (ii) is convicted of a violation classified as a common law crime and  
29 receives a term of imprisonment of more than 2 years;

30                           (iii) is a fugitive from justice;

31                           (iv) is a habitual drunkard;

1                   (v)     is addicted to a controlled dangerous substance or is a habitual  
2 user;

3                   (vi)    has spent more than 30 consecutive days in a medical institution  
4 for treatment of a mental disorder, unless the licensee produces a physician's certificate,  
5 issued after the last institutionalization and certifying that the licensee is capable of  
6 possessing a regulated firearm without undue danger to the licensee or to another;

7                   (vii)   has knowingly or willfully manufactured, offered to sell, or sold  
8 a handgun not on the handgun roster in violation of § 5-406 of this title; or

9                   (viii) has knowingly or willfully participated in a straw purchase of a  
10 regulated firearm.

11           **(C)    THE SECRETARY MAY DENY A DEALER'S LICENSE TO AN APPLICANT OR**  
12 **SUSPEND OR REVOKE A DEALER'S LICENSE IF THE APPLICANT OR LICENSEE FAILS**  
13 **TO COMPLY WITH § 5-110.1 OF THIS SUBTITLE.**

14           **[(c)] (D)**     If the Secretary suspends or revokes a dealer's license, the Secretary  
15 shall notify the licensee in writing of the suspension or revocation.

16           **[(d)] (E)**     A person whose dealer's license is suspended or revoked may not engage  
17 in the business of selling, renting, or transferring regulated firearms, unless the suspension  
18 or revocation has been subsequently withdrawn by the Secretary or overruled by a court in  
19 accordance with § 5-116 of this subtitle.

20           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2022.