

**HB1021/213222/1**

BY: Judiciary Committee

AMENDMENTS TO HOUSE BILL 1021  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “hours;” insert “requiring the Secretary of State Police to suspend a certain dealer’s license if the dealer is found in violation of a certain offense; requiring the Secretary to revoke a certain dealer’s license if the dealer is found in violation of a certain offense;”; and after line 7, insert:

“BY repealing and reenacting, with amendments,  
Article - Public Safety  
Section 5–114 (a) and (b)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“5–114.

- (a) (1) The Secretary shall suspend a dealer’s license if the licensee:
- (i) is under indictment for a crime of violence; [or]
  - (ii) is arrested for a violation of this subtitle that prohibits the purchase or possession of a regulated firearm; OR
- (III) IS FOUND IN VIOLATION OF A SECOND OFFENSE UNDER § 5–145.1 OF THIS SUBTITLE.**

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

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

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

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

(2) the licensee:

(i) is convicted of a disqualifying crime;

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

(iii) is a fugitive from justice;

(iv) is a habitual drunkard;

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

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

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

(viii) has knowingly or willfully participated in a straw purchase of a regulated firearm; OR

**(IX) IS FOUND IN VIOLATION OF A THIRD OR SUBSEQUENT OFFENSE UNDER § 5–145.1 OF THIS SUBTITLE.”.**

AMENDMENT NO. 3

On page 2, in line 1, strike “**BARS OR SECURITY SCREENS**” and substitute “**AT LEAST ONE OF THE FOLLOWING FEATURES**”; in line 2, after “**ENTRY**” insert “**INSTALLED**”; and in line 3, strike the semicolon and substitute “**:**”

- 1.    BARS;**
- 2.    SECURITY SCREENS;**
- 3.    COMMERCIAL GRADE METAL DOORS;**
- 4.    GRATES; OR**
- 5.    OTHER PHYSICAL BARRIERS APPROVED BY THE SECRETARY;”.**

AMENDMENT NO. 4

On page 2, in line 6, after “**(IV)**” insert “**IF PRACTICABLE,**”; in line 7, strike “**AND**” and substitute “**OR**”; in line 12, strike “**SECURE**”; in the same line, after “**ROOM**” insert “**OR BUILDING THAT MEETS THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION**”; in line 13, strike “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**”

SUBSECTION, A” and substitute “THIS SUBSECTION DOES NOT APPLY IF THE EQUIPMENT OR ALARM SYSTEM BECAME TEMPORARILY INOPERABLE AT NO FAULT OF THE LICENSED DEALER.

(2) A”;

and in line 16, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 5

On page 2, strike beginning with “A” in line 16 down through “WILLFULLY” in line 20 and substitute: “IN ADDITION TO THE PENALTY IMPOSED UNDER PARAGRAPH (2) OF THIS SUBSECTION, A PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES THIS SECTION IS SUBJECT TO:

(I) FOR A SECOND OFFENSE, SUSPENSION OF THE PERSON’S DEALER’S LICENSE; AND

(II) FOR A THIRD OR SUBSEQUENT OFFENSE, REVOCATION OF THE PERSON’S DEALER’S LICENSE.

(C) THE SECRETARY SHALL ADOPT RULES AND REGULATIONS TO DETERMINE WHETHER A LICENSED DEALER HAS MET THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION”.