

HOUSE BILL 997

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By: **Delegates Beitzel, Jacobs, K. Kelly, McComas, Otto, Smigiel, Weir, and Wood**

Introduced and read first time: February 6, 2014

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Competition Shooting and Match Shooting – Firearms**
3 **Exemption**

4 FOR the purpose of providing that certain provisions relating to assault weapons and
5 detachable magazines do not apply to the possession or transport to or from a
6 firing range or service rifle match of an assault weapon or a detachable
7 magazine for the exclusive purpose of competition shooting or match shooting
8 by a certain person; and generally relating to firearms.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 4–302
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2013 Supplement)

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

16 **Article – Criminal Law**

17 4–302.

18 This subtitle does not apply to:

19 (1) if acting within the scope of official business, personnel of the
20 United States government or a unit of that government, members of the armed forces
21 of the United States or of the National Guard, law enforcement personnel of the State
22 or a local unit in the State, or a railroad police officer authorized under Title 3 of the
23 Public Safety Article or 49 U.S.C. § 28101;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) a firearm modified to render it permanently inoperative;

2 (3) possession, importation, manufacture, receipt for manufacture,
3 shipment for manufacture, storage, purchases, sales, and transport to or by a licensed
4 firearms dealer or manufacturer who is:

5 (i) providing or servicing an assault weapon or detachable
6 magazine for a law enforcement unit or for personnel exempted under item (1) of this
7 section;

8 (ii) acting to sell or transfer an assault weapon or detachable
9 magazine to a licensed firearm dealer in another state or to an individual purchaser in
10 another state through a licensed firearms dealer; or

11 (iii) acting to return to a customer in another state an assault
12 weapon transferred to the licensed firearms dealer or manufacturer under the terms of
13 a warranty or for repair;

14 (4) organizations that are required or authorized by federal law
15 governing their specific business or activity to maintain assault weapons and
16 applicable ammunition and detachable magazines;

17 (5) the receipt of an assault weapon or detachable magazine by
18 inheritance, and possession of the inherited assault weapon or detachable magazine, if
19 the decedent lawfully possessed the assault weapon or detachable magazine and the
20 person inheriting the assault weapon or detachable magazine is not otherwise
21 disqualified from possessing a regulated firearm;

22 (6) the receipt of an assault weapon or detachable magazine by a
23 personal representative of an estate for purposes of exercising the powers and duties of
24 a personal representative of an estate;

25 (7) possession by a person who is retired in good standing from service
26 with a law enforcement agency of the State or a local unit in the State and is not
27 otherwise prohibited from receiving an assault weapon or detachable magazine if:

28 (i) the assault weapon or detachable magazine is sold or
29 transferred to the person by the law enforcement agency on retirement; or

30 (ii) the assault weapon or detachable magazine was purchased
31 or obtained by the person for official use with the law enforcement agency before
32 retirement;

33 (8) possession or transport by an employee of an armored car company
34 if the individual is acting within the scope of employment and has a permit issued
35 under Title 5, Subtitle 3 of the Public Safety Article; [or]

1 (9) possession, receipt, and testing by, or shipping to or from:

2 (i) an ISO 17025 accredited, National Institute of
3 Justice–approved ballistics testing laboratory; or

4 (ii) a facility or entity that manufactures or provides research
5 and development testing, analysis, or engineering for personal protective equipment or
6 vehicle protection systems; **OR**

7 **(10) POSSESSION OR TRANSPORT TO OR FROM A FIRING RANGE OR**
8 **SERVICE RIFLE MATCH OF AN ASSAULT WEAPON OR A DETACHABLE MAGAZINE**
9 **BY A PERSON FOR THE EXCLUSIVE PURPOSE OF THAT PERSON PARTICIPATING**
10 **IN COMPETITION SHOOTING OR MATCH SHOOTING.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2014.