

# HOUSE BILL 466

E4

8lr0918

---

By: **Delegates Ali, Gibson, Glenn, Hayes, R. Lewis, McIntosh, Moon, Mosby, and Rosenberg**

Introduced and read first time: January 25, 2018

Assigned to: Judiciary

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Ammunition Sales – Record Keeping**

3 FOR the purpose of requiring a manufacturer that ships or transports a handgun for sale,  
4 rental, or transfer in Baltimore City to ensure that when ammunition is fired from  
5 the handgun, the handgun operates in a certain manner, and make a certain  
6 certification to licensees; requiring a certain licensee to report to the Baltimore Police  
7 Department at a certain time that a certain manufacturer has complied with certain  
8 requirements; prohibiting a person from selling, renting, or transferring ammunition  
9 in Baltimore City unless the purchaser, lessee, or transferee is at least a certain age  
10 and presents a certain identification; requiring a certain licensee to keep records of  
11 all receipts, sales, and other dispositions of certain ammunition; requiring a certain  
12 licensee to submit certain information to the Baltimore Police Department at a  
13 certain time; requiring the Baltimore Police Department to determine the form and  
14 method by which certain records shall be maintained; requiring certain records to  
15 reflect a certain business discontinuance and succession and to be delivered to a  
16 certain licensee at a certain time; requiring a certain licensee to respond to a certain  
17 request within a certain time period under certain circumstances; requiring that  
18 certain information be provided either orally or in writing, as required by the  
19 Baltimore Police Department; authorizing the Baltimore Police Department to  
20 implement a certain system; authorizing the Baltimore Police Department to make  
21 certain information available to a certain law enforcement agency; establishing  
22 certain penalties; defining certain terms; and generally relating to the sale of  
23 handguns and ammunition in Baltimore City.

24 BY adding to

25 Article – Public Safety

26 Section 5–131, 5–134.1, and 5–134.2

27 Annotated Code of Maryland

28 (2011 Replacement Volume and 2017 Supplement)

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, without amendments,  
2 Article – Public Safety  
3 Section 5–133.1(a)  
4 Annotated Code of Maryland  
5 (2011 Replacement Volume and 2017 Supplement)

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

8 **Article – Public Safety**

9 **5–131.**

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
11 INDICATED.

12 (2) “AMMUNITION” HAS THE MEANING STATED IN § 5–133.1 OF THIS  
13 SUBTITLE.

14 (3) “MANUFACTURER” MEANS A PERSON WHO POSSESSES A FEDERAL  
15 LICENSE TO ENGAGE IN THE BUSINESS OF MANUFACTURING FIREARMS OR  
16 AMMUNITION FOR SALE OR DISTRIBUTION.

17 (4) “MICROSTAMPING” MEANS THE TRANSFER OF A MICROSCOPIC  
18 ARRAY OF CHARACTERS THAT IDENTIFY THE MAKE, MODEL, AND SERIAL NUMBER  
19 OF A HANDGUN TO A SHELL CASING AS THE HANDGUN IS FIRED.

20 (5) “SHELL CASING” MEANS THE PART OF HANDGUN AMMUNITION  
21 THAT CONTAINS THE PRIMER AND PROPELLANT POWDER TO DISCHARGE THE  
22 PROJECTILE.

23 (B) A MANUFACTURER THAT SHIPS OR TRANSPORTS A HANDGUN FOR SALE,  
24 RENTAL, OR TRANSFER IN BALTIMORE CITY SHALL:

25 (1) ENSURE THAT WHEN AMMUNITION IS FIRED FROM THE HANDGUN,  
26 THE HANDGUN OPERATES IN A MANNER THAT INCLUDES COPYING THE CHARACTERS  
27 ONTO THE SHELL CASING OF THE AMMUNITION BY MEANS OF MICROSTAMPING; AND

28 (2) CERTIFY TO LICENSEES THAT THE HANDGUN IS CAPABLE OF  
29 MICROSTAMPING.

30 (C) ON RECEIPT OF A HANDGUN FROM A MANUFACTURER, A LICENSEE  
31 SHALL CONFIRM TO THE BALTIMORE POLICE DEPARTMENT THAT THE  
32 MANUFACTURER HAS COMPLIED WITH SUBSECTION (B) OF THIS SECTION.

1           **(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**  
2 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A**  
3 **FINE NOT EXCEEDING \$1,000 OR BOTH.**

4 **5-133.1.**

5           **(a) In this section, “ammunition” means a cartridge, shell, or any other device**  
6 **containing explosive or incendiary material designed and intended for use in a firearm.**

7 **5-134.1.**

8           **(A) THIS SECTION APPLIES ONLY IN BALTIMORE CITY.**

9           **(B) IN THIS SECTION, “AMMUNITION” HAS THE MEANING STATED IN §**  
10 **5-133.1 OF THIS SUBTITLE.**

11           **(C) A PERSON MAY NOT SELL, RENT, OR TRANSFER AMMUNITION TO A**  
12 **PURCHASER, LESSEE, OR TRANSFEREE, UNLESS THE PURCHASER, LESSEE, OR**  
13 **TRANSFEREE:**

14                   **(1) IS AT LEAST 21 YEARS OLD; AND**

15                   **(2) PRESENTS A VALID DRIVER’S LICENSE OR OTHER PHOTOGRAPHIC**  
16 **GOVERNMENT-ISSUED IDENTIFICATION.**

17           **(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**  
18 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A**  
19 **FINE NOT EXCEEDING \$1,000 OR BOTH.**

20 **5-134.2.**

21           **(A) THIS SECTION APPLIES ONLY IN BALTIMORE CITY.**

22           **(B) IN THIS SECTION, “AMMUNITION” HAS THE MEANING STATED IN §**  
23 **5-133.1 OF THIS SUBTITLE.**

24           **(C) (1) A LICENSEE SHALL KEEP RECORDS OF ALL RECEIPTS, SALES, AND**  
25 **OTHER DISPOSITIONS OF AMMUNITION MADE IN CONNECTION WITH THE LICENSEE’S**  
26 **BUSINESS.**

27                   **(2) THE RECORDS SHALL INCLUDE:**

28                           **(I) THE NAME AND ADDRESS OF EACH PERSON FROM WHOM**

1 THE LICENSEE ACQUIRES AMMUNITION AND TO WHOM THE LICENSEE SELLS OR  
2 OTHERWISE DISPOSES OF AMMUNITION;

3 (II) A PRECISE DESCRIPTION OF ALL AMMUNITION ACQUIRED,  
4 SOLD, OR OTHERWISE DISPOSED OF; AND

5 (III) THE DATE OF EACH ACQUISITION, SALE, OR OTHER  
6 DISPOSITION.

7 (D) (1) WHEN REQUIRED BY A LETTER ISSUED BY THE BALTIMORE  
8 POLICE DEPARTMENT, A LICENSEE SHALL SUBMIT TO THE BALTIMORE POLICE  
9 DEPARTMENT THE INFORMATION REQUIRED TO BE KEPT UNDER SUBSECTION (C)  
10 OF THIS SECTION FOR THE TIME PERIODS SPECIFIED BY THE BALTIMORE POLICE  
11 DEPARTMENT.

12 (2) THE BALTIMORE POLICE DEPARTMENT SHALL DETERMINE THE  
13 FORM AND METHOD BY WHICH THE RECORDS SHALL BE MAINTAINED.

14 (E) WHEN A LICENSEE'S BUSINESS IS DISCONTINUED AND SUCCEEDED BY A  
15 NEW LICENSEE, THE RECORDS REQUIRED TO BE KEPT UNDER THIS SECTION SHALL  
16 REFLECT THE BUSINESS DISCONTINUANCE AND SUCCESSION AND SHALL BE  
17 DELIVERED TO THE SUCCESSOR LICENSEE.

18 (F) (1) A LICENSEE SHALL RESPOND WITHIN 48 HOURS AFTER RECEIPT  
19 OF A REQUEST FROM THE BALTIMORE POLICE DEPARTMENT FOR INFORMATION  
20 CONTAINED IN THE RECORDS REQUIRED TO BE KEPT UNDER THIS SECTION WHEN  
21 THE INFORMATION IS REQUESTED IN CONNECTION WITH A BONA FIDE CRIMINAL  
22 INVESTIGATION.

23 (2) THE INFORMATION REQUESTED UNDER THIS SUBSECTION SHALL  
24 BE PROVIDED ORALLY OR IN WRITING, AS REQUIRED BY THE BALTIMORE POLICE  
25 DEPARTMENT.

26 (3) THE BALTIMORE POLICE DEPARTMENT MAY IMPLEMENT A  
27 SYSTEM BY WHICH A LICENSEE CAN POSITIVELY ESTABLISH THAT A PERSON  
28 REQUESTING INFORMATION BY TELEPHONE IS AUTHORIZED BY THE BALTIMORE  
29 POLICE DEPARTMENT TO REQUEST THE INFORMATION.

30 (G) THE BALTIMORE POLICE DEPARTMENT MAY MAKE AVAILABLE TO A  
31 FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AGENCY ANY INFORMATION THAT  
32 THE BALTIMORE POLICE DEPARTMENT OBTAINS UNDER THIS SECTION RELATING  
33 TO THE IDENTITIES OF PERSONS WHO HAVE UNLAWFULLY PURCHASED OR  
34 RECEIVED AMMUNITION.

1           **(H) (1) FOR A FIRST OFFENSE, A PERSON WHO VIOLATES THIS SECTION IS**  
2 **SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$1,000.**

3           **(2) FOR A SECOND OR SUBSEQUENT OFFENSE, A PERSON WHO**  
4 **KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND IS**  
5 **SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING**  
6 **\$10,000 OR BOTH.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2018.