

# SENATE BILL 1047

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CF HB 1629

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By: **Senators Beidle, Hayes, Smith, and Sydnor**

Introduced and read first time: February 20, 2020

Assigned to: Rules

Re-referred to: Judicial Proceedings, February 24, 2020

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 14, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Office of the Attorney General – Firearm Crime, Injuries, Fatalities, and Crime**  
3 **Firearms – Study**

4 FOR the purpose of requiring the Office of the Attorney General to study and identify  
5 certain information relating to certain firearm crimes, injuries, fatalities, and crime  
6 firearms; requiring all State and local law enforcement agencies and other  
7 governmental units to provide the Office of the Attorney General with certain  
8 information; requiring the Office of the Attorney General to report certain findings  
9 and conclusions to the Governor and the General Assembly on or before certain  
10 dates; defining ~~a certain term~~ terms; providing for the termination of this Act; and  
11 generally relating to crimes involving firearms, injuries and fatalities caused by  
12 firearms, and crime firearms.

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
14 That:

15 (a) (1) In this section, the following words have the meanings indicated.

16 (2) “Crime firearm” means a firearm that is:

17 (i) used in the commission of a crime of violence, as defined in §  
18 5–101 of the Public Safety Article; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1                   (ii) recovered by law enforcement in connection with illegal firearm  
2 possession, transportation, or transfer.

3                   (3) ~~“firearm~~ Firearm crime” means a crime of violence, as defined in §  
4 5–101 of the Public Safety Article, involving the use of a firearm.

5                   (4) “Firearm injury and fatality” means an injury or fatality caused by a  
6 firearm.

7           (b) The Office of the Attorney General shall:

8                   (1) study information regarding firearm crimes committed in the State  
9 since August 1, 2015, including:

10                   (i) the number and types of firearm crimes;

11                   (ii) the jurisdictions where the firearm crimes occurred; and

12                   (iii) 9–1–1 requests for emergency assistance involving firearm  
13 crimes; ~~and~~

14                   (2) identify, for each 9–1–1 request for emergency assistance involving a  
15 firearm crime:

16                   (i) the jurisdiction;

17                   (ii) whether any arrests were made and, if so, the age of each  
18 individual arrested;

19                   (iii) whether any charges were filed and, if so, the specific crimes  
20 charged, disposition of each charge, and the age of each individual charged; and

21                   (iv) the type of firearm recovered and whether the firearm had a  
22 serial number;

23                   (3) study information regarding firearm injuries and fatalities occurring in  
24 the State since July 1, 2020, including:

25                   (i) whether persons injured or killed were minors or adults;

26                   (ii) the jurisdiction where the injuries or fatalities occurred; and

27                   (iii) whether the injuries or fatalities occurred as a result of suicides,  
28 accidents, or homicides; and

29                   (4) with regard to crime firearms:

- 1                   (i) study information regarding crime firearms in the State,  
2 including:
- 3                   1. the number and types of crime firearms;
- 4                   2. the sources of the crime firearms, including the importer,  
5 dealer, and first purchaser for all recovered crime firearms; and
- 6                   3. the jurisdictions where crime firearms were recovered;
- 7                   (ii) report the crimes committed with crime firearms by jurisdiction,  
8 including:
- 9                   1. the number of charges and convictions for:
- 10                   A. crimes of violence;
- 11                   B. illegal transfers;
- 12                   C. illegal possession;
- 13                   D. illegal transportation; and
- 14                   E. straw purchases; and
- 15                   2. the number and types of criminal charges associated with  
16 a crime firearm;
- 17                   (iii) compile all available information and data regarding the source  
18 of crime firearms, including:
- 19                   1. for out-of-state crime firearms:
- 20                   A. the country, state, or city of origin; and
- 21                   B. the location in the State where the crime firearm was  
22 recovered;
- 23                   2. for in-State crime firearms:
- 24                   A. the jurisdiction of origin; and
- 25                   B. the location where the crime firearm was recovered;
- 26                   3. information on the top 10 dealers of crime firearms in the  
27 State, including:

1           A. names;

2           B. locations; and

3           C. the dates and outcomes of audits conducted by the  
4 Maryland State Police of the dealers; and

5           4. the 10 states where the most crime firearms recovered in  
6 the State originated, including a comparison of the other states' firearm laws regarding:

7           A. licensing;

8           B. background checks;

9           C. waiting periods;

10          D. straw purchases; and

11          E. concealed carry laws;

12           (iv) collect information on the length of time between the origination  
13 and recovery of a crime firearm; and

14           (v) gather information regarding whether the individuals found in  
15 possession of crime firearms were previously prohibited from possessing a firearm.

16          (c) All State and local law enforcement agencies and other governmental units  
17 shall provide the Office of the Attorney General with any and all information necessary to  
18 complete the study.

19          (d) (1) On or before December 1, 2020, the Office of the Attorney General shall  
20 report its findings and conclusions with regard to firearm crimes committed, firearm  
21 injuries and fatalities occurring, and crime firearms recovered from August 1, 2015,  
22 through July 31, 2019, to the Governor and, in accordance with § 2-1257 of the State  
23 Government Article, the General Assembly.

24           (2) On or before December 1, 2021, the Office of the Attorney General shall  
25 report its findings and conclusions with regard to firearm crimes committed, firearm  
26 injuries and fatalities occurring, and crime firearms recovered from August 1, 2019,  
27 through July 31, 2020, to the Governor and, in accordance with § 2-1257 of the State  
28 Government Article, the General Assembly.

29           (3) On or before December 1, 2022, the Office of the Attorney General shall  
30 report its findings and conclusions with regard to firearm crimes committed, firearm  
31 injuries and fatalities occurring, and crime firearms recovered from August 1, ~~2019~~ 2020,  
32 through July 31, 2021, to the Governor and, in accordance with § 2-1257 of the State  
33 Government Article, the General Assembly.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
2 1, 2020. It shall remain effective for a period of 2 years and 7 months and, at the end of  
3 December 31, 2022, this Act, with no further action required by the General Assembly, shall  
4 be abrogated and of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.