

HB0425/873229/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 425
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “receiver, or” and substitute “receiver; prohibiting a person from selling, offering to sell, or transferring a certain firearm; prohibiting a person from”; and in line 10, after “crime;” insert “providing for a system of registration of a certain firearm with the Secretary; requiring the Governor to include a certain appropriation in the annual State budget;”.

On page 2, in line 1, strike “5-705” and substitute “5-706”.

AMENDMENT NO. 2

On page 4, in line 26, after “BEFORE” insert “OCTOBER 22,”.

AMENDMENT NO. 3

On page 4, strike beginning with the colon in line 16 down through “(1)” in line 17; and strike beginning with the semicolon in line 19 down through “CONVERTED” in line 22.

AMENDMENT NO. 4

On page 5, in line 15, after “(B)” insert “(1) THIS SUBSECTION DOES NOT APPLY TO:

(1) POSSESSION OF A FIREARM UNLESS A PERSON KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE FIREARM WAS NOT IMPRINTED WITH A SERIAL NUMBER AS DESCRIBED UNDER THIS SUBSECTION;

(II) POSSESSION OF A FIREARM THAT DOES NOT COMPLY WITH THE MARKING REQUIREMENTS DESCRIBED UNDER THIS SUBSECTION BY A PERSON WHO RECEIVED THE FIREARM THROUGH INHERITANCE, AND IS NOT OTHERWISE PROHIBITED FROM POSSESSING THE FIREARM, FOR A PERIOD NOT EXCEEDING 30 DAYS AFTER INHERITING THE FIREARM; OR

(III) POSSESSION OF AN UNFINISHED FRAME OR RECEIVER BY A PERSON THAT MADE OR MANUFACTURED THE UNFINISHED FRAME OR RECEIVER, WITHOUT THE USE OF ANY PREFABRICATED PARTS, AND WHO IS NOT OTHERWISE PROHIBITED FROM POSSESSING THE UNFINISHED FRAME OR RECEIVER, FOR A PERIOD NOT EXCEEDING 30 DAYS AFTER THE PERSON MADE OR MANUFACTURED THE UNFINISHED FRAME OR RECEIVER.

(2)”.

AMENDMENT NO. 5

On page 5, in lines 17 and 22, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 22, after “FIREARM” insert “:

1.”;

strike beginning with the first “THE” in line 24 down through “NUMBER” in line 26 and substitute “:

A. THE ZIP CODE OF THE CURRENT OWNER OR PERSON THAT MADE, COMPLETED, OR INITIALLY ASSEMBLED THE FIREARM;

B. THE INITIALS OF THE CURRENT OWNER OR PERSON THAT MADE, COMPLETED, OR INITIALLY ASSEMBLED THE FIREARM; AND

C. A NUMBER THAT DOES NOT MATCH A NUMBER USED BY THE CURRENT OWNER ON ANOTHER FIREARM OR BY THE PERSON WHO MADE, COMPLETED, OR INITIALLY ASSEMBLED THE FIREARM ON ANY OTHER FIREARM THAT THE PERSON HAS MADE, COMPLETED, OR INITIALLY ASSEMBLED; AND

2. HAS BEEN REGISTERED WITH THE SECRETARY”;

in line 29, strike “(B)(2)” and substitute “(B)(2)(II)”;

and strike beginning with the colon in line 29 down through “(1)” in line 30.

On page 6, in lines 1 and 2, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively; and in line 3, strike “; AND” and substitute a period.

AMENDMENT NO. 6

On page 5, in line 15, strike “JANUARY” and substitute “MARCH”; in line 23, after “DEALER” insert “, FEDERAL FIREARMS MANUFACTURER,”; and in line 24, after “SERVICES” insert a comma.

AMENDMENT NO. 7

On page 5, in line 9, after “(A)” insert “(1)”; after line 14, insert:

“(2) EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, A PERSON MAY NOT SELL, OFFER TO SELL, OR TRANSFER A FIREARM UNLESS IT IS IMPRINTED WITH A SERIAL NUMBER AS DESCRIBED UNDER SUBSECTION (B) OF THIS SECTION.”;

and in line 27, after “(C)” insert “(1) A PERSON WHO VIOLATES SUBSECTION (A) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND SUBJECT TO

IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

(2) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

(3) EACH VIOLATION OF THIS SECTION IS A SEPARATE CRIME.

(D)”.

On page 6, strike in their entirety lines 4 through 6, inclusive.

AMENDMENT NO. 8

On page 6, strike in their entirety lines 8 through 11, inclusive, and substitute:

“(A) THE SECRETARY SHALL MAINTAIN A SYSTEM TO REGISTER FIREARMS IMPRINTED WITH SERIAL NUMBERS UNDER § 5-703(B)(2)(II) OF THIS SUBTITLE.

(B) REGISTRATION DATA PROVIDED FOR REGISTRATION IS NOT OPEN TO PUBLIC INSPECTION.

(C) FOR EACH FISCAL YEAR, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET AN APPROPRIATION OF AT LEAST \$150,000 TO FUND REGISTRATION ACTIVITIES CONDUCTED BY THE SECRETARY UNDER THIS SECTION.”;

and after line 14, insert:

“5-706.

NOTHING IN THIS SUBTITLE MAY BE CONSTRUED IN A MANNER THAT ABRIDGES OR OTHERWISE LIMITS A PERSON’S RIGHT AGAINST SELF-INCRIMINATION UNDER THE UNITED STATES CONSTITUTION OR THE MARYLAND DECLARATION OF RIGHTS.”.

AMENDMENT NO. 9

On page 6, after line 19, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed in a manner that is consistent with proposed federal rule 2021R-05, updating parts 447, 478, and 479 of the Code of Federal Regulations, published in the Federal Register (Volume 86, No. 97) on May 21, 2021. If the proposed federal rule is modified at the time of adoption, this Act shall be construed in a manner that is consistent with those modifications.”;

and in line 20, strike “3.” and substitute “4.”.