

SB0387/393025/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 387
(First 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 a certain person to register a certain firearm; requiring the Governor to include a certain appropriation in the annual State budget;”.

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 4, strike beginning with the colon in line 12 down through “(1)” in line 13; and strike beginning with the semicolon in line 15 down through “CONVERTED” in line 18.

AMENDMENT NO. 4

On page 5, in line 11, after “(B)” insert “(1) THIS SUBSECTION DOES NOT APPLY TO 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.

(2)”.

AMENDMENT NO. 5

On page 5, in lines 13 and 18, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 18, after “FIREARM” insert “:”.

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1.”;

strike beginning with the first “THE” in line 20 down through “NUMBER” in line 22 and substitute “:

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

B. THE INITIALS OF THE CURRENT LEGAL 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 LEGAL 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 25, strike “(B)(2)” and substitute “(B)(2)(II)”;

strike beginning with the colon in line 25 down through “(1)” in line 26; in lines 29 and 30, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively; and in line 31, strike “; AND” and substitute a period.

On page 6, strike in their entirety lines 1 through 3, inclusive.

AMENDMENT NO. 6

On page 5, in line 11, strike “JANUARY” and substitute “MARCH”; in line 19, after “DEALER” insert a comma; and in line 20, after “SERVICES” insert a comma.

AMENDMENT NO. 7

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On page 5, in line 5, after “(A)” insert “(1)”; after line 10, 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 23, 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 5 through 8, inclusive.

AMENDMENT NO. 8

On page 6, after line 4, insert:

“(A) A PERSON WHO MAKES, COMPLETES, OR INITIALLY ASSEMBLES A FIREARM, OR THE CURRENT LEGAL OWNER OF THE FIREARM, SHALL REGISTER THE FIREARM WITH THE SECRETARY.

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

(Over)

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

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, INFORMATION OR EVIDENCE OBTAINED FROM A REGISTRATION APPLICATION OR RECORDS REQUIRED TO BE SUBMITTED TO REGISTER A FIREARM UNDER THIS SECTION MAY NOT BE USED, DIRECTLY OR INDIRECTLY, AS EVIDENCE AGAINST THE PERSON APPLYING TO REGISTER THE FIREARM IN A CRIMINAL PROCEEDING FOR A VIOLATION OF LAW THAT OCCURRED BEFORE OR AT THE TIME THE PERSON APPLIED TO REGISTER THE FIREARM OR PROVIDE RECORDS REQUIRED TO REGISTER THE FIREARM.

(2) INFORMATION DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION MAY BE USED AS EVIDENCE IN A PROSECUTION RELATING TO PROVIDING FALSE INFORMATION.

(E) 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.”.

AMENDMENT NO. 9

On page 6, after line 16, 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 17, strike “3.” and substitute “4.”.