

HOUSE BILL 1251

E4, E1

3lr2331

By: **Delegates Clippinger, Anderson, Barnes, Guzzone, Hucker, Kaiser, Rosenberg, Valderrama, and Waldstreicher**

Introduced and read first time: February 8, 2013

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Firearms – Firearms Sales Prohibition**

3 FOR the purpose of prohibiting the sale or transfer of a regulated firearm or
4 ammunition by a business that derives a certain percentage of the business's
5 gross revenues from the sale of certain goods; providing that a violation of this
6 Act is a civil penalty; establishing certain procedures for the issuance of a
7 citation under this Act; and generally relating to regulated firearms and
8 ammunition sales prohibitions.

9 BY adding to

10 Article – Public Safety

11 Section 5–142.1

12 Annotated Code of Maryland

13 (2011 Replacement Volume and 2012 Supplement)

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

16 **Article – Public Safety**

17 **5–142.1.**

18 **(A) A BUSINESS THAT DERIVES MORE THAN 10% OF THE BUSINESS'S**
19 **GROSS REVENUE FROM THE SALE OF GROCERIES MAY NOT SELL OR TRANSFER:**

20 **(1) A REGULATED FIREARM; OR**

21 **(2) AMMUNITION.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) A POLICE OFFICER MAY ISSUE A CITATION TO A PERSON WHO THE**
2 **POLICE OFFICER HAS PROBABLE CAUSE TO BELIEVE HAS COMMITTED A**
3 **VIOLATION UNDER THIS SECTION.**

4 **(C) A VIOLATION UNDER THIS SECTION IS A CIVIL OFFENSE.**

5 **(D) A CITATION ISSUED UNDER THIS SECTION SHALL BE SIGNED BY THE**
6 **POLICE OFFICER WHO ISSUES THE CITATION AND SHALL CONTAIN:**

7 **(1) THE NAME AND ADDRESS OF THE PERSON CHARGED;**

8 **(2) THE STATUTE ALLEGEDLY VIOLATED;**

9 **(3) THE DATE, LOCATION, AND TIME THAT THE VIOLATION**
10 **OCCURRED;**

11 **(4) THE FINE THAT MAY BE IMPOSED;**

12 **(5) A NOTICE STATING THAT PREPAYMENT OF THE FINE IS**
13 **ALLOWED; AND**

14 **(6) A NOTICE THAT STATES THAT THE DISTRICT COURT SHALL**
15 **PROMPTLY SEND THE PERSON A SUMMONS TO APPEAR FOR TRIAL.**

16 **(E) THE FORM OF THE CITATION SHALL BE UNIFORM THROUGHOUT**
17 **THE STATE AND SHALL BE PRESCRIBED BY THE DISTRICT COURT.**

18 **(F) THE CHIEF JUDGE OF THE DISTRICT COURT SHALL ESTABLISH A**
19 **SCHEDULE FOR THE PREPAYMENT OF A FINE.**

20 **(G) (1) THE LAW ENFORCEMENT AGENCY OF THE POLICE OFFICER**
21 **WHO ISSUED THE CITATION SHALL FORWARD TO THE DISTRICT COURT HAVING**
22 **VENUE A COPY OF THE CITATION AND A REQUEST FOR TRIAL.**

23 **(2) THE DISTRICT COURT SHALL PROMPTLY SCHEDULE THE**
24 **CASE FOR TRIAL AND SUMMON THE DEFENDANT TO APPEAR.**

25 **(H) IF A PERSON IS FOUND TO HAVE COMMITTED A VIOLATION UNDER**
26 **THIS SECTION, THE PERSON IS SUBJECT TO A FINE NOT EXCEEDING \$10,000.**

27 **(I) THE COURT COSTS FOR A VIOLATION UNDER THIS SECTION ARE \$5.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2013.