

HOUSE BILL 713

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By: **Delegates Smigiel, Afzali, Aumann, Bromwell, Cluster, Elliott, Fisher, George, Glass, Jacobs, K. Kelly, Kipke, Krebs, McComas, McDermott, W. Miller, Ready, Schulz, Stocksedale, Szeliga, and Vitale**

Introduced and read first time: January 31, 2014

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Handgun Safety Devices – External Safety Locks**

3 FOR the purpose of authorizing the sale, offer for sale, rental, or transfer in the State
4 of a handgun that is sold, offered for sale, rented, or transferred with an
5 external safety lock as an alternative to an integrated mechanical safety device;
6 and generally relating to handgun safety devices.

7 BY repealing and reenacting, with amendments,
8 Article – Public Safety
9 Section 5–132
10 Annotated Code of Maryland
11 (2011 Replacement Volume and 2013 Supplement)

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

14 **Article – Public Safety**

15 5–132.

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

17 (2) “Authorized user” means the owner of a handgun or a person
18 authorized by the owner to possess and use the handgun.

19 (3) “External safety lock” means an external device that is:

20 (i) attached to a handgun with a key or combination lock; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) designed to prevent a handgun from being discharged unless
2 the device has been deactivated.

3 (4) “Handgun” does not include a signal, starter, or blank pistol.

4 (5) “Handgun Roster Board” means the Handgun Roster Board
5 established under § 5–404 of this title.

6 (6) “Integrated mechanical safety device” means a disabling or locking
7 device that is:

8 (i) built into a handgun; and

9 (ii) designed to prevent the handgun from being discharged
10 unless the device has been deactivated.

11 (7) “Personalized handgun” means a handgun manufactured with
12 incorporated design technology that:

13 (i) allows the handgun to be fired only by the authorized user;
14 and

15 (ii) prevents any of the safety characteristics of the handgun
16 from being readily deactivated.

17 (b) This section does not apply to:

18 (1) the purchase, sale, or transportation of a handgun to or by a
19 federally licensed gun dealer or manufacturer that provides or services a handgun for:

20 (i) personnel of any unit of the federal government;

21 (ii) members of the armed forces of the United States or the
22 National Guard;

23 (iii) law enforcement personnel of the State or any local law
24 enforcement agency in the State while acting within the scope of their official duties;
25 and

26 (iv) an organization that is required by federal law governing its
27 specific business or activity to maintain handguns and applicable ammunition;

28 (2) a firearm modified to be permanently inoperative;

29 (3) the sale or transfer of a handgun by a federally licensed gun dealer
30 or manufacturer covered under item (1) of this subsection;

1 (4) the sale or transfer of a handgun by a federally licensed gun dealer
2 or manufacturer to a lawful customer outside the State; or

3 (5) an antique firearm.

4 (c) **[(1)]** A dealer may not sell, offer for sale, rent, or transfer in the State a
5 handgun **[manufactured on or before December 31, 2002,]** unless the handgun:

6 **(1)** is sold, offered for sale, rented, or transferred with an external
7 safety lock**[,]**; **OR**

8 **(2)** **[On or after January 1, 2003, a dealer may not sell, offer for sale,**
9 **rent, or transfer in the State a handgun manufactured on or after January 1, 2003,**
10 **unless the handgun]** has an integrated mechanical safety device.

11 (d) (1) The Handgun Roster Board annually shall:

12 (i) review the status of personalized handgun technology; and

13 (ii) on or before July 1, report its findings to the Governor and,
14 in accordance with § 2-1246 of the State Government Article, to the General
15 Assembly.

16 (2) In reviewing the status of personalized handgun technology under
17 paragraph (1) of this subsection, the Handgun Roster Board shall consider:

18 (i) the number and variety of models and calibers of
19 personalized handguns that are available for sale;

20 (ii) each study, analysis, or other evaluation of personalized
21 handguns conducted or commissioned by:

22 1. the National Institute of Justice;

23 2. a federal, State, or local law enforcement laboratory;
24 or

25 3. any other entity with an expertise in handgun
26 technology; and

27 (iii) any other information that the Handgun Roster Board
28 considers relevant.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2014.