

# SENATE BILL 861

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By: **Senator Beidle**

Introduced and read first time: February 7, 2022

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland State Police Gun Center – Establishment**

3 FOR the purpose of establishing the Maryland State Police Gun Center as a statewide  
4 firearms enforcement center for the tracking, screening, and vetting of all firearm  
5 crimes committed in the State; requiring the Center to create and maintain a  
6 statewide database to track certain information related to crimes committed with  
7 crime firearms; and generally relating to the Maryland State Police Gun Center.

8 BY adding to

9 Article – Public Safety

10 Section 5–701 through 5–704 to be under the new subtitle “Subtitle 7. The Maryland  
11 State Police Gun Center”

12 Annotated Code of Maryland

13 (2018 Replacement Volume and 2021 Supplement)

14 Preamble

15 WHEREAS, The Governor’s Office of Crime Prevention, Youth, and Victim Services,  
16 in accordance with Chapter 335 of the Acts of the General Assembly of 2019, studied and  
17 compiled information for a Report on Crime Firearms Study, including, among other things,  
18 the number and type of crimes committed with crime firearms in the State, the sources of  
19 crime firearms in the State, and the jurisdictions where crime firearms were recovered in  
20 the State; and

21 WHEREAS, Between October 1, 2019, and September 30, 2020, there were a total of  
22 2,772 crime firearms cases in Maryland, of which 61.8% occurred in Baltimore City and  
23 Prince George’s County; and

24 WHEREAS, Between October 1, 2019, and September 30, 2020, there were a total of  
25 1,722 criminal charges associated with crime firearms, of which approximately 87% were  
26 for an illegal possession offense, approximately 9% were for the use of a firearm in

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 conjunction with a crime of violence, and approximately 4% were for a straw  
2 purchase-related offense; and

3 WHEREAS, Between October 1, 2019, and September 30, 2020, 2,188 individuals  
4 prohibited from possessing a firearm were found to be in possession of crime firearms; and

5 WHEREAS, On January 1, 2013, the Department of State Police opened the  
6 Maryland State Police Gun Center as a component of the Department's firearms  
7 enforcement program to operate around the clock, 7 days per week to provide immediate  
8 assistance and guidance to local law enforcement agencies on firearm crimes; and

9 WHEREAS, The Governor's Office of Crime Prevention, Youth, and Victim Services  
10 has developed recommendations based on the findings of the Report on Crime Firearms  
11 Study that include creating a statewide database to track crime firearms and designating  
12 the Maryland State Police Gun Center as a one-stop statewide firearms enforcement center  
13 for the tracking, screening, and vetting of all firearm crimes committed in the State to  
14 ensure that offenders are systematically held accountable; now therefore,

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

17 **Article – Public Safety**

18 **SUBTITLE 7. THE MARYLAND STATE POLICE GUN CENTER.**

19 **5-701.**

20 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
21 INDICATED.

22 (B) "CENTER" MEANS THE MARYLAND STATE POLICE GUN CENTER.

23 (C) "CRIME FIREARM" MEANS A FIREARM THAT IS:

24 (1) USED IN THE COMMISSION OF A CRIME OF VIOLENCE, AS DEFINED  
25 IN § 5-101 OF THIS TITLE; OR

26 (2) RECOVERED BY A LAW ENFORCEMENT AGENCY IN CONNECTION  
27 WITH ILLEGAL FIREARM POSSESSION, TRANSPORTATION, OR TRANSFER.

28 (D) "DEPARTMENT" MEANS THE DEPARTMENT OF STATE POLICE.

29 (E) "FEDERALLY LICENSED FIREARMS DEALER" MEANS A PERSON  
30 LICENSED BY THE FEDERAL BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND  
31 EXPLOSIVES TO DEAL IN FIREARMS.

1 (F) "FEDERALLY LICENSED FIREARMS IMPORTER" MEANS A PERSON  
2 LICENSED BY THE FEDERAL BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND  
3 EXPLOSIVES TO IMPORT FIREARMS.

4 (G) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN § 3-201  
5 OF THIS ARTICLE.

6 5-702.

7 (A) THE CENTER IS ESTABLISHED WITHIN THE DEPARTMENT AS A  
8 STATEWIDE FIREARMS ENFORCEMENT CENTER FOR THE TRACKING, SCREENING,  
9 AND VETTING OF ALL FIREARM CRIMES COMMITTED IN THE STATE.

10 (B) THIS SUBTITLE SHALL BE LIBERALLY CONSTRUED AND APPLIED TO  
11 PROMOTE ITS UNDERLYING PURPOSES AND POLICIES.

12 5-703.

13 (A) THE CENTER SHALL CREATE AND MAINTAIN A STATEWIDE DATABASE  
14 TO TRACK INFORMATION ON CRIMES COMMITTED WITH CRIME FIREARMS.

15 (B) EACH LAW ENFORCEMENT AGENCY SHALL REPORT TO THE CENTER THE  
16 FOLLOWING INFORMATION ON CRIMES COMMITTED IN THE JURISDICTION OF THE  
17 LAW ENFORCEMENT AGENCY WITH CRIME FIREARMS:

18 (1) THE NUMBER AND TYPE OF CRIME FIREARMS;

19 (2) THE JURISDICTIONS WHERE CRIME FIREARMS ARE RECOVERED;

20 (3) THE SOURCES OF THE CRIME FIREARMS RECOVERED, IF  
21 DISCOVERABLE, INCLUDING:

22 (I) THE FEDERALLY LICENSED FIREARMS IMPORTER;

23 (II) THE FEDERALLY LICENSED FIREARMS DEALER; AND

24 (III) THE FIRST PURCHASER OF THE CRIME FIREARM;

25 (4) INFORMATION REGARDING THE INDIVIDUAL FOUND IN  
26 POSSESSION OF THE CRIME FIREARM, INCLUDING:

27 (I) THE INDIVIDUAL'S AGE;

1 (II) THE INDIVIDUAL'S JURISDICTION OF RESIDENCE;

2 (III) THE JURISDICTION WHERE THE INDIVIDUAL IS CHARGED;

3 AND

4 (IV) WHETHER THE INDIVIDUAL WAS PROHIBITED FROM  
5 POSSESSING A FIREARM; AND

6 (5) ANY OTHER INFORMATION REQUESTED BY THE CENTER.

7 (C) THE CENTER MAY REQUIRE A LAW ENFORCEMENT AGENCY TO REPORT  
8 ANY OTHER INFORMATION RELATING TO FIREARM CRIMES COMMITTED IN THE  
9 JURISDICTION OF THE LAW ENFORCEMENT AGENCY TO ASSIST THE CENTER IN THE  
10 TRACKING OF FIREARM CRIMES COMMITTED IN THE STATE.

11 (D) THE CENTER SHALL DESIGNATE HOW OFTEN LAW ENFORCEMENT  
12 AGENCIES ARE REQUIRED TO REPORT THE INFORMATION REQUIRED UNDER THIS  
13 SECTION.

14 **5-704.**

15 (A) THE CENTER SHALL COORDINATE WITH THE DEPARTMENT AND LAW  
16 ENFORCEMENT AGENCIES TO SCREEN AND VET ALL FIREARM CRIMES COMMITTED  
17 IN THE STATE BY:

18 (1) DETERMINING WHETHER AN INDIVIDUAL CHARGED WITH A  
19 FIREARM CRIME WAS PROHIBITED FROM POSSESSING A FIREARM; AND

20 (2) RECOMMENDING SPECIFIC FIREARM CHARGES TO ENSURE THAT  
21 AN INDIVIDUAL CHARGED WITH A FIREARM CRIME IS APPROPRIATELY CHARGED.

22 (B) THE CENTER SHALL ASSIST THE DEPARTMENT AND LAW  
23 ENFORCEMENT AGENCIES WITH FIREARM ENFORCEMENT AND FIREARM VIOLATION  
24 REDUCTION EFFORTS.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2022.