

HOUSE BILL 1288

E4
HB 1146/19 – JUD

0lr2356
CF SB 290

By: **Delegates Buckel, Beitzel, Corderman, Cox, McKay, Rose, Shoemaker, and Wivell**

Introduced and read first time: February 7, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Forfeiture of Firearms – Sale to Dealer**

3 FOR the purpose of authorizing a certain law enforcement unit to sell, exchange, or transfer
4 certain forfeited firearms to a certain firearms dealer under certain circumstances;
5 and generally relating to forfeiture of firearms.

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Procedure
8 Section 13–206
9 Annotated Code of Maryland
10 (2018 Replacement Volume and 2019 Supplement)

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

13 **Article – Criminal Procedure**

14 13–206.

15 (a) Whenever property is forfeited under this subtitle, the law enforcement unit
16 that sought forfeiture of the property may only:

17 (1) order the property retained for the official use of the law enforcement
18 unit;

19 (2) destroy the forfeited property; or

20 (3) sell, exchange, or transfer the forfeited property to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(I) another law enforcement unit for official use by that unit; OR

(II) A FEDERALLY LICENSED FIREARMS DEALER.

(b) Within 30 days after disposing of forfeited property, a law enforcement unit shall send to the Secretary of State Police:

(1) a description of the property forfeited;

(2) the type of disposition made; and

(3) the identity of the person to whom the property was transferred for disposal, retention, or official use.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.