

**Department of Legislative Services**  
Maryland General Assembly  
2020 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

Senate Bill 1050

(Senator Sydnor, *et al.*)

Judicial Proceedings

Health and Government Operations

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**Public Safety - Lost or Stolen Regulated Firearm - Reporting**

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This bill increases the penalty applicable to a second or subsequent violation of the prohibition against the knowing and willful failure to report the loss or theft of a regulated firearm, as specified, by the owner of a regulated firearm. The maximum penalty for a second or subsequent violation is increased from 90 days imprisonment and/or a fine of \$500 to 13 months imprisonment and/or a fine of \$2,000.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund revenues due to the bill's increased monetary penalty provision. Incarceration expenditures are not anticipated to be materially affected.

**Local Effect:** Potential minimal increase in local expenditures due to the bill's increased incarceration penalty provision. Revenues are not likely affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** A dealer or any other person who sells or transfers a regulated firearm must notify the purchaser or recipient of the firearm at the time of purchase or transfer that the purchaser or recipient is required to report a lost or stolen firearm to the local law enforcement agency.

If a regulated firearm is lost or stolen, the owner of the firearm must report the loss or theft to the local law enforcement agency within 72 hours after the owner first discovers the loss

or theft. On receipt of a report of a lost or stolen firearm, a local law enforcement agency must report to the Secretary of State Police and enter into the National Crime Information Center database, to the extent known, the caliber, make, model, manufacturer, and serial number of the firearm and any other distinguishing number or identification mark on the firearm.

A knowing and willful first-time violation of these provisions is a civil offense punishable by a fine of up to \$500. A second or subsequent violation is a misdemeanor, punishable by imprisonment for up to 90 days and/or a fine of up to \$500. The imposition of a civil or criminal penalty does not preclude the pursuit of any other civil remedy or criminal prosecution authorized by law.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** HB 591 (Delegate Clippinger) - Judiciary.

**Information Source(s):** Anne Arundel, Charles, and Frederick counties; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Maryland State's Attorneys' Association; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

**Fiscal Note History:** First Reader - March 2, 2020  
rh/lgc Third Reader - April 1, 2020  
Revised - Amendment(s) - April 1, 2020

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