

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 3
Judiciary

(Delegate Bartlett)

Judicial Proceedings

Maryland State Police Gun Center – Firearms Surrendered Under Final
Protective Orders

This bill expands the purpose of the Maryland State Police Gun Center to include the tracking, screening, and vetting of all firearms surrendered under final protective orders in the State. The bill requires (1) the center to create and maintain a statewide database to track information on firearms surrendered under final protective orders in the State and (2) each law enforcement agency to report to the center specified information on firearms surrendered under final protective orders issued in the jurisdiction of the law enforcement agency.

Fiscal Summary

State Effect: The bill’s requirements can be handled with existing budgeted resources. Revenues are not affected.

Local Effect: Local law enforcement agencies can handle the bill’s requirements with existing resources. Local revenues are not affected.

Small Business Effect: None.

Analysis

Current Law:

Maryland State Police Gun Center: Chapter 142 of 2022 established the Maryland State Police Gun Center within the Department of State Police (DSP) as a statewide firearms enforcement center for the tracking, screening, and vetting of all firearm crimes committed

in the State. The center must (1) create and maintain a statewide database to track information on crimes committed with “crime firearms”; (2) coordinate with DSP and law enforcement agencies to screen and vet all firearm crimes committed in the State, as specified; and (3) assist DSP and law enforcement agencies with firearm enforcement and firearm violation reduction efforts. Each law enforcement agency must report to the center specified information regarding crimes committed with crime firearms in the law enforcement agency’s jurisdiction. The center (1) must designate how often law enforcement agencies must report the required information and (2) may require a law enforcement agency to report other information relating to firearm crimes committed in the law enforcement agency’s jurisdiction to assist the center in the tracking of firearm crimes committed in the State.

Beginning in 2023, and annually thereafter, the Governor must include in the annual State budget an appropriation sufficient to fund the operations of the center. The fiscal 2023 budget provided for a transfer of \$3.4 million in general funds from the Dedicated Purpose Account to establish the center, and the Governor’s proposed fiscal 2024 budget includes approximately \$3.3 million in general funds for the center, including funding for several positions to staff the center.

“Crime firearm” means a firearm that is used in the commission of a crime of violence, as defined under § 5-101 of the Public Safety Article, or recovered by a law enforcement agency in connection with illegal firearm possession, transportation, or transfer.

Domestic Violence Protective Orders: Individuals who meet specified relationship requirements with the respondent (the alleged abuser) – including spouses, cohabitants, individuals with a child in common, and individuals alleging that the respondent committed specified sexual offenses within the prior six months – may seek relief from abuse by filing a petition for a domestic violence protective order. If granted, a protective order may include various types of relief for the petitioner, including provisions requiring a respondent to refrain from abusing or contacting the petitioner and to stay away from the petitioner’s home, school, or place of employment. Issues of custody, visitation, emergency family maintenance, and use and possession of the family home may also be addressed. If a final protective order is issued, it must order the respondent to surrender any firearms in the respondent’s possession for the duration of the order.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 185 (Senator Beidle, *et al.*) - Judicial Proceedings.

Information Source(s): Anne Arundel, Charles, and Howard counties; Maryland Association of Counties; City of Laurel; Maryland Municipal League; Judiciary (Administrative Office of the Courts); Department of State Police; Department of Legislative Services

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