

# SENATE BILL 664

E4  
SB 604/18 – JPR

9lr2454  
CF HB 1146

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By: **Senators Edwards, Ready, and Serafini**  
Introduced and read first time: February 4, 2019  
Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 20, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

3 FOR the purpose of ~~authorizing, in Allegany County, Carroll County, Frederick County,~~  
4 ~~Garrett County, and Washington County,~~ authorizing a certain law enforcement unit  
5 to sell, exchange, or transfer certain forfeited firearms to a certain firearms dealer  
6 under certain circumstances; and generally relating to forfeiture of firearms.

7 BY repealing and reenacting, with amendments,  
8 Article – Criminal Procedure  
9 Section 13–206  
10 Annotated Code of Maryland  
11 (2018 Replacement Volume)

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

14 **Article – Criminal Procedure**

15 13–206.

16 (a) ~~[Whenever]~~ ~~EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,~~  
17 ~~WHENEVER~~ property is forfeited under this subtitle, the law enforcement unit that sought  
18 forfeiture of the property may only:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 (2) destroy the forfeited property; or

4 (3) sell, exchange, or transfer the forfeited property to another law  
5 enforcement unit for official use by that unit OR TO A FEDERALLY LICENSED FIREARMS  
6 DEALER.

7 (b) ~~(1) THIS SUBSECTION APPLIES ONLY IN:~~

8 ~~(I) ALLEGANY COUNTY;~~

9 ~~(II) CARROLL COUNTY;~~

10 ~~(III) FREDERICK COUNTY;~~

11 ~~(IV) GARRETT COUNTY; AND~~

12 ~~(V) WASHINGTON COUNTY.~~

13 ~~(2) WHENEVER A FIREARM IS FORFEITED UNDER THIS SUBTITLE,~~  
14 ~~THE LAW ENFORCEMENT UNIT THAT SOUGHT FORFEITURE OF THE FIREARM MAY~~  
15 ~~SELL, EXCHANGE, OR TRANSFER THE FORFEITED FIREARM TO A FEDERALLY~~  
16 ~~LICENSED FIREARMS DEALER.~~

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

19 (1) a description of the property forfeited;

20 (2) the type of disposition made; and

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2019.