

# SENATE BILL 775

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SB 444/25 – JPR

6lr0718

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By: Senator Smith

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Gun Buyback Programs – Destruction of Firearms**

3 FOR the purpose of requiring a federal firearms licensee or law enforcement agency  
4 operating a gun buyback program to destroy each firearm, including all components  
5 and parts attached to the firearm, that is traded in at a certain gun buyback  
6 program; authorizing a federal firearms licensee or law enforcement agency to  
7 contract with a law enforcement agency or a business to destroy certain firearms;  
8 requiring the Secretary of State Police to revoke a certain person's dealer's license if  
9 the person violates the provisions of this Act; prohibiting a person from operating a  
10 gun buyback program except in accordance with certain requirements; requiring a  
11 law enforcement agency operating a gun buyback program to make reasonable  
12 efforts to determine whether a firearm is a crime firearm or has been reported lost  
13 or stolen before the firearm or its component parts may be destroyed; and generally  
14 relating to gun buyback programs.

15 BY repealing and reenacting, with amendments,

16 Article – Public Safety

17 Section 5–114(b)

18 Annotated Code of Maryland

19 (2022 Replacement Volume and 2025 Supplement)

20 BY adding to

21 Article – Public Safety

22 Section 5–901 through 5–905 to be under the new subtitle “Subtitle 9. Gun Buyback  
23 Programs”

24 Annotated Code of Maryland

25 (2022 Replacement Volume and 2025 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## Article – Public Safety

2 5-114.

3 (b) The Secretary shall revoke a dealer's license if:

4 (1) it is discovered that false information has been supplied or false  
5 statements have been made in an application required by this subtitle; or

6 (2) the licensee:

7 (i) is convicted of a disqualifying crime;

(ii) is convicted of a violation classified as a common law crime and receives a term of imprisonment of more than 2 years;

10 (iii) is a fugitive from justice;

11 (iv) is a habitual drunkard;

12 (v) is addicted to a controlled dangerous substance or is a habitual  
13 user;

14 (vi) has spent more than 30 consecutive days in a medical institution  
15 for treatment of a mental disorder, unless the licensee produces a physician's certificate,  
16 issued after the last institutionalization and certifying that the licensee is capable of  
17 possessing a regulated firearm without undue danger to the licensee or to another;

(vii) has knowingly or willfully manufactured, offered to sell, or sold a handgun not on the handgun roster in violation of § 5–406 of this title;

20 (viii) has knowingly or willfully participated in a straw purchase of a  
21 regulated firearm;

22 (ix) is convicted of a crime under Subtitle 7 of this title; [or]

23 (x) is found in violation of a third or subsequent offense under §  
24 5-145.1 of this subtitle; OR

25 (XI) VIOLATES SUBTITLE 9 OF THIS TITLE.

## 26 SUBTITLE 9. GUN BUYBACK PROGRAMS.

27 5-901.

1       (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
2 INDICATED.

3       (B) “FIREARM” HAS THE MEANING STATED IN § 5–101 OF THIS TITLE.

4       (C) “GUN BUYBACK PROGRAM” MEANS A PROGRAM THAT IS OPERATED BY  
5 A FEDERAL FIREARMS LICENSEE OR A LAW ENFORCEMENT AGENCY THAT:

6           (1) ALLOWS FIREARM OWNERS TO VOLUNTARILY SURRENDER  
7 FIREARMS;

8           (2) IS OPERATED, EITHER EXPLICITLY OR IMPLICATEDLY, FOR THE  
9 PURPOSE OF REDUCING THE NUMBER OF FIREARMS IN A COMMUNITY; AND

10          (3) ADVERTISES THAT FIREARMS THAT ARE SURRENDERED TO THE  
11 PROGRAM WILL BE DESTROYED OR MADE PERMANENTLY INOPERABLE.

12       (D) “SECRETARY” HAS THE MEANING STATED IN § 5–101 OF THIS TITLE.

13 5–902.

14       (A) THIS SECTION DOES NOT APPLY TO A FIREARM IF A LAW ENFORCEMENT  
15 AGENCY DETERMINES THAT THE FIREARM IS STOLEN OR IS EVIDENCE OF A CRIME.

16       (B) (1) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A  
17 FEDERAL FIREARMS LICENSEE OR LAW ENFORCEMENT AGENCY OPERATING A GUN  
18 BUYBACK PROGRAM SHALL DESTROY EACH FIREARM, INCLUDING EVERY  
19 COMPONENT AND PART ATTACHED TO THE FIREARM, THAT IS SURRENDERED TO  
20 THE FEDERAL FIREARMS LICENSEE OR LAW ENFORCEMENT AGENCY AT A GUN  
21 BUYBACK PROGRAM.

22           (II) THE DESTRUCTION REQUIRED UNDER SUBPARAGRAPH (I)  
23 OF THIS PARAGRAPH SHALL MAKE THE FIREARM AND EVERY COMPONENT AND PART  
24 ATTACHED TO THE FIREARM PERMANENTLY INOPERABLE AND UNREPAIRABLE.

25       (2) A FEDERAL FIREARMS LICENSEE OR LAW ENFORCEMENT AGENCY  
26 MAY CONTRACT WITH A LAW ENFORCEMENT AGENCY OR A BUSINESS TO SATISFY  
27 THE REQUIREMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION.

28       (C) A FEDERAL FIREARMS LICENSEE OR LAW ENFORCEMENT AGENCY THAT  
29 VIOLATES THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000 PER  
30 VIOLATION.

1           (D) IF A PERSON VIOLATES THIS SECTION AND THE PERSON HOLDS A  
2 DEALER'S LICENSE UNDER § 5-106 OF THIS TITLE:

3           (1) THE PERSON SHALL BE SUBJECT TO THE PENALTY PROVIDED IN  
4 SUBSECTION (C) OF THIS SECTION; AND

5           (2) THE SECRETARY SHALL REVOKE THE PERSON'S DEALER'S  
6 LICENSE IN ACCORDANCE WITH § 5-114 OF THIS TITLE.

7   **5-903.**

8           (A) A PERSON MAY NOT OPERATE A GUN BUYBACK PROGRAM EXCEPT IN  
9 ACCORDANCE WITH § 5-902 OF THIS SUBTITLE.

10           (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
11 AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000.

12   **5-904.**

13           A LAW ENFORCEMENT AGENCY THAT RECEIVES A FIREARM AS PART OF A GUN  
14 BUYBACK PROGRAM UNDER THIS SUBTITLE SHALL MAKE REASONABLE EFFORTS TO  
15 DETERMINE WHETHER THE FIREARM IS A CRIME FIREARM OR HAS BEEN REPORTED  
16 AS LOST OR STOLEN BEFORE THE FIREARM OR ITS COMPONENT PARTS MAY BE  
17 DESTROYED AS REQUIRED UNDER § 5-902 OF THIS SUBTITLE.

18   **5-905.**

19           NOTHING IN THIS SUBTITLE MAY BE INTERPRETED AS AN EXCEPTION TO ANY  
20 OTHER REQUIREMENT OR RESTRICTION UNDER STATE OR FEDERAL LAW RELATING  
21 TO THE PURCHASE, RENTAL, LOAN, OR TRANSFER OF A FIREARM.

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2026.