

SENATE BILL 775

E1
SB 444/25 – JPR

6lr0718

By: **Senator Smith**

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

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:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Public Safety

5–114.

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

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

(2) the licensee:

(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;

(iii) is a fugitive from justice;

(iv) is a habitual drunkard;

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

(vi) has spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless the licensee produces a physician's certificate, issued after the last institutionalization and certifying that the licensee is capable of 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;

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

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

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

(XI) VIOLATES SUBTITLE 9 OF THIS TITLE.

SUBTITLE 9. GUN BUYBACK PROGRAMS.

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 IMPLIEDLY, 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) (I) 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.**