

HOUSE BILL 724

E4

8lr2270
CF SB 604

By: **Western Maryland Delegation**

Introduced and read first time: February 1, 2018

Assigned to: Judiciary

A BILL ENTITLED

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, a certain law enforcement unit to sell,
5 exchange, or transfer certain forfeited firearms to a certain firearms dealer under
6 certain circumstances; and generally relating to forfeitures of firearms.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Procedure
9 Section 13–206
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2017 Supplement)

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:

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

21 (2) destroy the forfeited property; or

22 (3) sell, exchange, or transfer the forfeited property to another law

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 enforcement unit for official use by that unit.

2 (b) (1) THIS SUBSECTION APPLIES ONLY IN:

3 (I) ALLEGANY COUNTY;

4 (II) CARROLL COUNTY;

5 (III) FREDERICK COUNTY;

6 (IV) GARRETT COUNTY; AND

7 (V) WASHINGTON COUNTY.

8 (2) WHENEVER A FIREARM IS FORFEITED UNDER THIS SUBTITLE,
9 THE LAW ENFORCEMENT UNIT THAT SOUGHT FORFEITURE OF THE FIREARM MAY
10 SELL, EXCHANGE, OR TRANSFER THE FORFEITED FIREARM TO A FEDERALLY
11 LICENSED FIREARMS DEALER.

12 (C) Within 30 days after disposing of forfeited property, a law enforcement unit
13 shall send to the Secretary of State Police:

14 (1) a description of the property forfeited;

15 (2) the type of disposition made; and

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

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2018.