

COUNTY COUNCIL OF



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COUNTY

M A R Y L A N D

LEGISLATIVE SUMMARY*

To: All Councilmembers of the Anne Arundel County Council
From: Linda M. Schuett, Legislative Counsel
Date: December 6, 2021
Subject: Bill No. 109-21

Bill No. 109-21 addresses the security measures required in connection with the sale of firearms.

DEALERS

The Bill applies to all dealers within 100 yards of or in a park, house of worship, school, public building, or other place of public assembly. *See* § 12-6-102.

The Bill defines "dealer," "firearm," and "place of public assembly."

- A "dealer" is defined as a person in the business of selling, renting, or transferring firearms, whether at wholesale or retail.
- The term "firearm" has the meaning stated in § 5-101(h) of the Public Safety Article of the State Code. Under State law, "firearm" means (1) a weapon that expels, is designed to expel, or may readily be converted to expel a projectile by the action of an explosive or (2) the frame or receiver of such a weapon. The term includes a starter gun.
- "Place of public assembly" is defined as "a location used for a gathering of 50 or more persons for deliberation, worship, entertainment, eating, drinking amusement, shopping, awaiting transportation, or similar uses."

See § 12-6-101.

* This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

A dealer may not conduct business without Police Department approval of the security measures in place at the premises. *See* § 12-6-102. To obtain approval, the dealer applies to the Police Department on a form required by the Department. The form must include, at a minimum, a description of proposed or existing security measures and an authorization for the Department to inspect the premises and any off-site storage areas. *See* § 12-6-103. The dealer may not transfer the Police Department's approval of the security measures and must notify the Department before moving the location of the business or any off-site storage. *See* § 12-6-104.

A dealer's business premises must be monitored at all times by a burglar and security alarm system that includes video surveillance. In addition, there must be exterior bollards, concrete barriers, and the like to prevent intrusion into the building and interior or exterior security gates, screens, and the like. When the business is closed, all firearms must be secured. *See* § 12-6-105.

If a dealer transports firearms, the dealer must have an inventory list that includes the manufacturer, model, and serial number of the firearms. A copy of the list must accompany the firearms, be available at the dealer's business premises, and be provided to law enforcement upon request. *See* § 12-6-106.

GUN SHOWS

A "gun show" is an organized gathering open to the public where firearms are displayed and may be sold, rented, or transferred at wholesale or retail. *See* § 12-6-201.

A person promoting or sponsoring a gun show may not hold the gun show or place firearms on the premises without approval by the Police Department of the required security measures. *See* § 12-6-202. To obtain approval, the person promoting or sponsoring the gun show applies to the Police Department on the form required by the Department. *See* § 12-6-203. The approval may not be transferred and the person promoting or sponsoring the show must notify the Police Department before moving the gun show from one location to another. *See* § 12-6-204.

Security measures are required whenever the premises are not open to the public and firearms are onsite. The measures include a burglar and security alarm system that includes video surveillance, securing the firearms, and live security guard coverage. *See* § 12-6-205.

ENFORCEMENT

If a dealer or a person promoting or sponsoring a gun show violates a provision of this Title in a manner that brings the security of firearms into question, the Police Department may post one or more security guards at the location until the violation has been abated or the inventory has been moved to a secure location. The Police Department may also enforce the provisions of this Title through court proceedings or through the issuance of a citation for a Class C civil offense. *See* § 12-6-301. The civil fine for a Class C civil offense is \$500 for the first violation and \$1,000 for the second or any subsequent violations. *See* § 9-2-101.

GRACE PERIOD

A dealer in existence as of the effective date of the Bill has 180 days after the effective date to comply with the requirements of the Bill.