

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 08-0046**

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Introduced by: Councilmembers Kraft, D’Adamo, Curran, Branch, Cole, President Rawlings-Blake, Councilmembers Clarke, Spector, Middleton, Conaway, Holton, Henry, Young  
Introduced and read first time: February 11, 2008  
Assigned to: Public Safety and Health Committee

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Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: July 21, 2008

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**AN ORDINANCE CONCERNING**

**Firearms – Reporting Theft or Loss**

FOR the purpose of requiring that the theft or loss of a firearm be reported, within a specified time, to the police; defining certain terms; providing for a special effective date; and imposing certain criminal and civil penalties.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies  
Section(s) 41-14(2)(§ 59-18)  
Baltimore City Code  
(Edition 2000)

BY adding

Article 19 - Police Ordinances  
Section(s) 59-17 to ~~59-20~~ 59-20B, to be under the new part,  
“Part 2A. Firearms – Reporting Theft or Loss”  
Baltimore City Code  
(Edition 2000)

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the Laws of Baltimore City read as follows:

**Baltimore City Code**

**Article 1. Mayor, City Council, and Municipal Agencies**

**Subtitle 41. Civil Citations**

**§ 41-14. Offenses to which subtitle applies – Listing.**

**(2) *Article 19. Police Ordinances***

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 . . . .

2 § 59-18. REPORTING {THEFT OR LOSS OF FIREARM} REQUIRED \$250

3 1<sup>ST</sup> OFFENSE \$500

4 SUBSEQUENT OFFENSE \$750

5 . . . .

6 Article 19. Police Ordinances

7 Subtitle 59. Weapons

8 PART 2A. FIREARMS – REPORTING THEFT OR LOSS

9 § 59-17. “FIREARM” DEFINED.

10 IN THIS PART 2A, “FIREARM” INCLUDES ANY PISTOL, REVOLVER, RIFLE, SHOTGUN,  
11 SHORT-BARRELED RIFLE, SHORT-BARRELED SHOTGUN, OR OTHER FIREARM.

12 § 59-18. REPORTING REQUIRED.

13 ~~ON THE THEFT OR LOSS IN THE CITY OF A FIREARM~~ IF A FIREARM IS LOST OR STOLEN, THE  
14 PERSON WHO OWNED ~~OR POSSESSED~~ THE FIREARM SHALL REPORT THE THEFT OR LOSS TO THE  
15 BALTIMORE POLICE DEPARTMENT. THE REPORT SHALL BE MADE WITHIN 48 HOURS ~~OF~~  
16 ~~DISCOVERING~~ AFTER THE THEFT OR LOSS IS FIRST DISCOVERED.

17 § 59-19. ENTRY TO NCIC DATABASE.

18 ON RECEIPT OF A REPORT OF A STOLEN OR LOST FIREARM, THE BALTIMORE POLICE  
19 DEPARTMENT SHALL ENTER INTO THE NATIONAL CRIME INFORMATION CENTER DATABASE  
20 THE FOLLOWING INFORMATION, TO THE EXTENT KNOWN:

21 (1) THE FIREARM’S CALIBER, MAKE, MODEL, MANUFACTURER, AND SERIAL NUMBER; AND

22 (2) ANY OTHER DISTINGUISHING NUMBER OR IDENTIFICATION MARK ON THE FIREARM.

23 § 59-20. {RESERVED}

24 § 59-20A § 59-19. ENFORCEMENT BY CITATION.

25 (A) IN GENERAL.

26 IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE,  
27 ~~THIS SECTION~~ § 59-18 OF THIS PART 2A MAY BE ENFORCED BY ISSUANCE OF A CIVIL  
28 CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {“CIVIL CITATIONS”}.

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1 (B) *PROCESS NOT EXCLUSIVE.*

2 THE ISSUANCE OF A CIVIL CITATION TO ENFORCE ~~THIS SECTION~~ § 59-18 OF THIS PART 2A  
3 DOES NOT PRECLUDE PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR  
4 ENFORCEMENT ACTION AUTHORIZED BY LAW.

5 **§ 59-20B § 59-20. CRIMINAL PENALTIES.**

6 ANY PERSON WHO VIOLATES § 59-18 OF THIS PART 2A IS GUILTY OF A MISDEMEANOR AND, ON  
7 CONVICTION, IS SUBJECT TO ~~A FINE OF NOT MORE THAN \$250 FOR EACH OFFENSE~~ THE  
8 FOLLOWING PENALTIES:

9 (1) FOR A 1<sup>ST</sup> OFFENSE, A FINE OF NOT MORE THAN \$500; AND

10 (2) FOR ANY SUBSEQUENT OFFENSE, A FINE OF NOT MORE THAN \$750 OR IMPRISONMENT  
11 FOR NOT MORE THAN 90 DAYS OR BOTH FINE AND IMPRISONMENT.

12 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
13 are not law and may not be considered to have been enacted as a part of this or any prior  
14 Ordinance.

15 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> 60<sup>th</sup>  
16 day after the date it is enacted.

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City