

**CITY OF BALTIMORE
COUNCIL BILL 07-0340R
(Resolution)**

Introduced by: Councilmembers Kraft, Curran, Clarke

Introduced and read first time: October 29, 2007

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department, Mayor's Office of Criminal Justice

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Request for State Legislation – Exempt Baltimore City from the State Preemption of**
3 **Firearm Regulation**

4 FOR the purpose of requesting that the Honorable Chair and Members of the Baltimore City
5 Senate and House Delegations to the 2008 Maryland General Assembly introduce legislation
6 amending the current State law that preempts the right of any local jurisdiction from
7 regulating the sale of regulated firearms to exclude Baltimore City.
8

9 **Recitals**

10 Baltimore City is facing a crisis in terms of homicides and violent crimes. According to
11 recent reports, the rate of involvement of guns in Baltimore homicides has steadily increased
12 since 2002. In 2002, 72% of all murders were gun-related; in 2003, 77% were gun-related, and
13 in 2006, a chilling 82% of Baltimore City homicides were gun-related. These reports also show
14 that nonfatal shootings are rising faster than Baltimore City's homicide rate—up 35 percent by
15 the end of June.

16 Currently, Title 5, Section 104, of the Maryland State Code preempts local jurisdictions
17 from regulating the sale etc. Despite the strength and uniformity of the law, gun violence is not
18 evenly distributed across Maryland. According to reports, in 1999, 12% of Marylanders lived in
19 Baltimore City. That year, 40% of the State's gun deaths were Baltimore City residents.
20 Baltimore continues to account for a disproportionate amount of the State's gun-related deaths,
21 and therefore should have the authority to act accordingly to correct this situation.

22 With the current situation of gun related violence in the City of Baltimore, more drastic
23 measures must be taken to not only deter the use of guns in the City, but to limit the access
24 criminals have to firearms as well. With this amendment to the current State legislation, the City
25 of Baltimore will have the ability to build on the current State law and provide for safer living
26 situations for its citizens, who want nothing more than to be able to live peaceably within their
27 communities.

28 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the
29 Honorable Chair and Members of the Baltimore City Senate and House Delegations to the 2008

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 Maryland General Assembly are urged to introduce legislation to amend the current State law
2 that preempts the right of any local jurisdiction to regulate the sales of regulated firearm to
3 exclude Baltimore City.

4 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Governor, the
5 Mayor, the Honorable Chair and Members of the Baltimore City Senate and House Delegations
6 to the 2008 Maryland General Assembly, the Mayor's Office of Intergovernmental Relations,
7 and the Mayor's Legislative Liaison to the City Council.