

**CITY OF BALTIMORE
COUNCIL BILL 19-0443
(First Reader)**

Introduced by: President Scott, Councilmembers Bullock, Henry, Cohen, McCray, Stokes,
Reisinger, Clarke, Sneed, Costello, Pinkett, Schleifer, Dorsey, Burnett

Introduced and read first time: September 9, 2019

Assigned to: Public Safety Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Gun Offender Registration – Additional Violations**

3 FOR the purpose of amending the definition of “gun offender” to add certain criminal violations
4 for which a conviction would require an individual to register with the Baltimore City Police
5 Commissioner; and conforming, correcting, and clarifying related provisions.

6 BY repealing and re-ordaining, with amendments

7 Article 19 - Police Ordinances

8 Section(s) 60-1(e)

9 Baltimore City Code

10 (Edition 2000)

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

13 **Baltimore City Code**

14 **Article 19. Police Ordinances**

15 **Subtitle 60. Gun Offender Registration**

16 **§ 60-1. Definitions.**

17 (e) *Gun offense.*

18 “Gun offense” means:

19 (1) a violation of any of the following sections of the State Criminal Law Article:

20 (i) § 4-203 {Wearing, carrying, or transporting A handgun};

21 (ii) § 4-204 {Use of A handgun or antique firearm in commission of A crime};

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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- 1 (iii) § 4-303 {Assault [pistols] WEAPONS – Prohibited};
- 2 (IV) § 4-305 {DETACHABLE MAGAZINES – PROHIBITED};
- 3 (V) § 4-305.1 {RAPID FIRE TRIGGER ACTIVATORS – PROHIBITED};
- 4 (VI) [(iv)] § 4-404 {Use of A machine gun in A crime of violence};
- 5 (VII) [(v)] § 4-405 {Use of A machine gun for AN aggressive purpose};
- 6 (VIII) [(vi)] § 5-621 {Crimes involving controlled dangerous substances and
- 7 paraphernalia – Use of A weapon as separate crime}; or
- 8 (IX) [(vii)] § 5-622 {Firearm crimes};

9 (2) a violation of any of the following sections of the State Public Safety Article:

- 10 (I) § 5-106 {LICENSE REQUIRED TO ENGAGE IN THE BUSINESS OF SELLING,
- 11 RENTING, OR TRANSFERRING REGULATED FIREARMS};
- 12 (II) § 5-123 {DEALER – SALE, RENT, OR TRANSFER OF A REGULATED FIREARM
- 13 PRIOR TO THE EXPIRATION OF 7-DAY WAITING PERIOD};
- 14 (III) § 5-124(A) {NON-DEALER – SALE, RENT, OR TRANSFER OF A REGULATED
- 15 FIREARM PRIOR TO THE EXPIRATION OF 7-DAY WAITING PERIOD};
- 16 (IV) § 5-125(B) {SALE, RENT, OR TRANSFER OF A REGULATED FIREARM TO A
- 17 FIREARM APPLICANT WHOSE FIREARM APPLICATION IS PLACED ON HOLD};
- 18 (V) § 5-132(C)(1) {DEALER – SALE, OFFER FOR SALE, RENT, OR TRANSFER A
- 19 HANDGUN MANUFACTURED ON OR BEFORE DECEMBER 31, 2002, WITHOUT
- 20 AN EXTERNAL SAFETY LOCK};
- 21 (VI) [(i)] § 5-133(b) {Possession of A regulated firearm prohibited};
- 22 (VII) [(ii)] § 5-133(c) {Restrictions on possession of regulated firearms –
- 23 Penalty for possession by A person convicted of crime of violence};
- 24 (VIII) [(iii)] § 5-133(d) {Possession of regulated firearms by A person under
- 25 age of 21 years prohibited};
- 26 (IX) § 5-134 {SALE, RENT, OR TRANSFER OF A REGULATED FIREARM TO A
- 27 RESTRICTED INDIVIDUAL};
- 28 (X) § 5-136 {STRAW PURCHASE OF A REGULATED FIREARM};
- 29 (XI) [(iv)] § 5-138 {Sale, transfer, or disposal of A stolen regulated firearm
- 30 prohibited};

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1 (XII) [(v)] § 5-140 {Transporting A regulated firearm for unlawful sale or
2 trafficking};

3 (XIII) § 5-141 {KNOWING PARTICIPATION IN STRAW PURCHASE};

4 (XIV) [(vi)] § 5-142 {Removal or alteration of identification mark or number
5 on firearm};

6 (XV) § 5-144 {KNOWING PARTICIPATION IN ANY VIOLATION OF TITLE 1,
7 SUBTITLE 5 OF THE STATE PUBLIC SAFETY ARTICLE}

8 (XVI) [(vii)] § 5-203 {Possession of A short-barreled rifle or short-barreled
9 shotgun};

10 (XVII) [(viii)] § 5-205 {Possession of A rifle or shotgun by A person with
11 mental disorder}; or

12 (XVIII) [(ix)] § 5-406 {Manufacture or sale of handguns}; or

13 (3) a violation of any of the following sections of this City Code Article 19 {"Police
14 Ordinances"}:

15 (i) § 59-1 {Carrying long-barrel firearms}; or

16 (ii) § 59-2 {Discharging firearms}.

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

20 **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th day
21 after the date it is enacted.