

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 19-0443

Introduced by: President Scott, Councilmembers Bullock, Henry, Cohen, McCray, Stokes,

Reisinger, Clarke, Sneed, Costello, Pinkett, Schleifer, Dorsey, Burnett, Middleton

Introduced and read first time: September 9, 2019

Assigned to: Public Safety Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: December 2, 2019

AN ORDINANCE CONCERNING

Gun Offender Registration – ~~Additional Violations~~ Revisions

FOR the purpose of amending the definition of “gun offender” to add certain criminal violations for which a conviction would require an individual to register with the Baltimore City Police Commissioner; modifying the term of verification requirement; clarifying how a gun offender’s term is calculated; and conforming, correcting, and clarifying related provisions.

BY repealing and re-ordaining, with amendments

Article 19 - Police Ordinances

Section(s) 60-1(e) and 60-7

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 19. Police Ordinances

Subtitle 60. Gun Offender Registration

§ 60-1. Definitions.

(e) *Gun offense.*

“Gun offense” means:

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

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

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 (ii) § 4-204 {Use of A handgun or antique firearm in commission of A crime};
- 2 (iii) § 4-303 {Assault [pistols] WEAPONS – Prohibited};
- 3 (IV) § 4-305 {DETACHABLE MAGAZINES – PROHIBITED};
- 4 (V) § 4-305.1 {RAPID FIRE TRIGGER ACTIVATORS – PROHIBITED};
- 5 (VI) [(iv)] § 4-404 {Use of A machine gun in A crime of violence};
- 6 (VII) [(v)] § 4-405 {Use of A machine gun for AN aggressive purpose};
- 7 (VIII) [(vi)] §5-621 {Crimes involving controlled dangerous substances and
- 8 paraphernalia – Use of A weapon as separate crime}; or
- 9 (IX) [(vii)] § 5-622 {Firearm crimes};
- 10 (2) a violation of any of the following sections of the State Public Safety Article:
 - 11 (I) § 5-106 {LICENSE REQUIRED TO ENGAGE IN THE BUSINESS OF SELLING,
 - 12 RENTING, OR TRANSFERRING REGULATED FIREARMS};
 - 13 (II) § 5-123 {DEALER – SALE, RENT, OR TRANSFER OF A REGULATED FIREARM
 - 14 PRIOR TO THE EXPIRATION OF 7-DAY WAITING PERIOD};
 - 15 (III) § 5-124(A) {NON-DEALER – SALE, RENT, OR TRANSFER OF A REGULATED
 - 16 FIREARM PRIOR TO THE EXPIRATION OF 7-DAY WAITING PERIOD};
 - 17 (IV) § 5-125(B) {SALE, RENT, OR TRANSFER OF A REGULATED FIREARM TO A
 - 18 FIREARM APPLICANT WHOSE FIREARM APPLICATION IS PLACED ON HOLD};
 - 19 (V) § 5-132(C)(1) {DEALER – SALE, OFFER FOR SALE, RENT, OR TRANSFER A
 - 20 HANDGUN MANUFACTURED ON OR BEFORE DECEMBER 31, 2002, WITHOUT
 - 21 AN EXTERNAL SAFETY LOCK};
 - 22 (VI) [(i)] § 5-133(b) {Possession of A regulated firearm prohibited};
 - 23 (VII) [(ii)] § 5-133(c) {Restrictions on possession of regulated firearms –
 - 24 Penalty for possession by A person convicted of crime of violence};
 - 25 (VIII) [(iii)] § 5-133(d) {Possession of regulated firearms by A person under
 - 26 age of 21 years prohibited};
 - 27 (IX) § 5-134 {SALE, RENT, OR TRANSFER OF A REGULATED FIREARM TO A
 - 28 RESTRICTED INDIVIDUAL};
 - 29 (X) § 5-136 {STRAW PURCHASE OF A REGULATED FIREARM};
 - 30 (XI) [(iv)] § 5-138 {Sale, transfer, or disposal of A stolen regulated firearm
 - 31 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) § 5-206 {PERSON CONVICTED OF CRIMES OF VIOLENCE PROHIBITED
13 FROM POSSESSING A RIFLE OR SHOTGUN};

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

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

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

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

19 **§ 60-7. Term of verification requirement.**

20 (A) IN GENERAL.

21 The gun offender must verify the contents of the registration, as required by § 60-6 of this
22 subtitle, for a period of [3] 5 years from the date of the gun offender's initial registration.

23 (B) CALCULATION OF TIME.

24 A GUN OFFENDER'S TERM OF REGISTRATION UNDER THIS SECTION IS STAYED IF THE GUN
25 OFFENDER IS SUBSEQUENTLY CONVICTED AND INCARCERATED FOR ANOTHER GUN
26 OFFENSE.

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

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

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City