

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 6/10/97

Reference No.: CB-31-1997

Proposer: County Executive

Draft No.: 2

Sponsors: Del Giudice, Gourdine, Wilson, Russell

Item Title: An Act to require that gun dealers sell or otherwise provide a child safety handgun lock or similar mechanism with every handgun sold, leased or otherwise transferred; & to require the posting of certain notice on the premises where handguns are sold or leased

Drafter: Barbara L. Holtz
Office of Law

Resource Personnel: Barbara L. Holtz
Office of Law

LEGISLATIVE HISTORY:

Date Presented: 3/11/97

Executive Action: 7/9/97 S

Committee Referral:(1) 3/11/97 HEHS

Effective Date: 8/25/97

Committee Action:(1) 6/4/97 FAV(A)

Date Introduced: 6/10/97

Pub. Hearing Date: (1) 7/1/97 1:30 P.M.

Council Action: (1) 7/1/97 ENACTED

Council Votes: DB:A, SD:A, JE:A, IG:A, AMc:A, WM:A, RVR:A, AS:N, MW:A

Pass/Fail: P

Remarks: _____

HEALTH, EDUCATION & HUMAN SERVICES COMMITTEE

Date: 6/4/97

Committee Voted: Favorable with amendments, 4-0 (In favor: Council Members Gourdine, Bailey, MacKinnon and Russell).

This legislation requires the provision of a child safety handgun (trigger) lock by gun dealers at the point of sale, lease or transfer of a handgun. It also requires gun dealers to conspicuously post in their shops the State law to keep guns out of the reach of children and this law requiring gun dealers to provide child safety handgun locks. This bill carries misdemeanor penalties of up to \$1,000 or not more than six months in jail for violation.

The County Executive developed and proposed this legislation in cooperation with Montgomery County Executive Douglas Duncan. Enactment of CB-31-1997 would make Prince George's County among the first in the United States to mandate child safety handgun locks be provided with handguns at the point of sale. The Maryland Attorney General has issued an opinion supporting the County's authority to enact this legislation.

Testimony was received that this type of locking mechanism could prevent most (if not all) accidental discharge of firearms by children. The Police Department, Health Department and Office of Business and Regulatory Affairs are supportive of this bill. The Committee also received testimony from Marylanders Against Handgun Abuse, Inc. and Handgun Control, Inc. in support of CB-31-1997.

Concern was raised for use of the term "trigger locks" in that this terminology may be confused with a particular trademark or patented product. The Committee voted to amend the bill to use a generic term for the type of product being required, i.e. "child safety handgun lock".

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation will require that gun dealers sell or otherwise provide a child safety handgun lock or similar mechanism with every handgun sold. Section 36K of Article 27 of the Annotated Code of Maryland requires gun owners to limit access to firearms by minors.

Child safety handgun (trigger) locks are relatively inexpensive, costing as little as \$11.00. This cost would be borne by the gun dealer and/or passed on to the purchaser. The Office of Audits and Investigations states there should not be any negative fiscal impact on the County as a result of enacting CB-31-1997.

CODE INDEX TOPICS:

Morals and Conduct

Weapons (See also Weapons)

Discharge of firearms; permit; exceptions; penalty	14-142
<u>Handgun sales or transfers; trigger look required; notice</u>	<u>14-141.01</u>
Loaded weapons prohibited; exceptions	14-140
Transfer of weapon to minor prohibited; exceptions	14-141

Weapons (See also Morals and Conduct - Weapons)

Firearms discharge	14-142
<u>Handgun sales or transfers; trigger look required; notice</u>	<u>14-141.01</u>
Loaded prohibited	14-140
Transfer to minor	14-141