

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2024 Legislative Session

Bill No. CB-030-2024

Chapter No. _____

Proposed and Presented by Council Members Oriadha and Hawkins

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

AN ACT concerning

Untraceable Firearms and Minors

For the purpose of adding and incorporating the State Code definitions related to firearms to the County Code; including the definition of Untraceable Firearms to the list prohibited loaded weapons; prohibiting the transfer of untraceable firearms to minors; and increasing the maximum penalty for each violation; and other general provisions related to untraceable firearms.

BY repealing and reenacting with amendments:

SUBTITLE 14. MORALS AND CONDUCT.

Sections 14-140 and 14-141

The Prince George's County Code

(2023 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 14-140 and 14-141 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 14. MORALS AND CONDUCT.

DIVISION 6. WEAPONS.

Sec. 14-140. [Loaded weapons prohibited] Definitions, prohibitions, and exceptions.

(a) **Definitions.** In this Division, the following terms shall be defined as:

- a. **Additive manufacturing** is a computer controlled process that creates three dimensional objects from a digital file by depositing materials one layer at a time, also known as 3D printing.

- 1 b. **Air gun** means a small-caliber weapon, with a handgun or a shoulder weapon,
 2 from which pellets or darts are discharged by the expending force of
 3 compressed air or gas (carbon dioxide or CO 2). The term
 4 includes air guns called "air rifles," "bb guns," "gas guns," "spring-
 5 operated guns" and "air pistols."
- 6 c. **Antique firearm** has the meaning stated in Md. Criminal Law Code Ann. Section
 7 4-201.
- 8 d. **Firearm** has the meaning stated in Md. Public Safety Code Ann. Sec. 5-101.
- 9 e. **Handgun** has the meaning stated in Md. Public Safety Code Ann. Sec. 5-101.
- 10 f. **Rifle** has the meaning stated in Md. Criminal Law Code Ann. Section 4-201.
- 11 g. **Regulated Firearm** has the meaning stated in Md. Public Safety Code Ann. Sec.
 12 5-101.
- 13 h. **Short-barreled rifle** has the meaning stated in Md. Criminal Law Code Ann.
 14 Section 4-201.
- 15 i. **Short-barreled shotgun** has the meaning stated in Md. Criminal Law Code Ann.
 16 Section 4-201.
- 17 j. **Shotgun** has the meaning stated in Md. Criminal Law Code Ann. Section 4-201.
- 18 k. **Untraceable firearm**, commonly referred to as a "ghost gun", has the meaning
 19 stated in Md. Public Safety Code Ann. Sec. 5-701(h).
- 20 (b) **Prohibited.** [No person shall discharge or have in [his] their possession, while loaded,
 21 any firearm, rifle, shotgun, revolver, pistol, air gun, air rifle] It shall be prohibited for any
 22 person to discharge, possess or transport a loaded weapon as defined in Section (a) above,
 23 or any similar mechanism known by whatever name [know], which is designed to expel a
 24 projectile through a gun barrel by the action of any explosive, gas, compressed air, spring
 25 or elastic, within one thousand feet (1,000') of any home or residence, other than [his]
 26 their own, or any school or school grounds (private or public), church or church grounds,
 27 places of public assembly, public parks and playgrounds within the County, whether
 28 the weapon is loaded with blank or live cartridges or projectiles of any kind.
- 29 (b) **Exceptions.** This Section shall not prohibit:
- 30 a. A person from lawfully carrying, wearing, or transporting a weapon subject to
 31 Md. Public Safety Code. Ann. Title 5. Firearms; or

b. the owner or tenant of any land from discharging such described weapons on [his] their land for the purpose of the protection of [his] their own property or the life of [himself] themselves or [his] their family, or killing predatory animals which prey upon, damage or destroy [his] their property, livestock or crops.

Sec. 14-141. - Transfer of weapon to minor prohibited; penalty. [exceptions.]

- (a) No person shall give, sell, rent, lend or otherwise transfer any [gun or]weapon or additive manufacturing technology described in Section 14-140, designed to use, create, or manufacture an untraceable firearm, explosive ammunition or any projectile therefore, within the County to a minor under the age of seventeen (17) years, except where the relationship of parent and child, guardian and ward or adult instructor and pupil exists between such person and the minor.
- (b) [This Section shall not apply to any regulated firearms regulated by Sections 441 to 448, Article 27, Annotated Code of Maryland, 1957.] Any person convicted of a violation of this Section shall be guilty of a misdemeanor and shall be punishable by the maximum fine permitted under State law; or by imprisonment for not more than six (6) months; or both.

* * * * *

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this ____ day of _____, 2024.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Jolene Ivey
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

* * * * *