

**SB1036/108076/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1036  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Smith” and substitute “Senators Smith, Zirkin, Kelley, Brochin, Cassilly, Hough, Lee, Muse, Ramirez, and Ready”.

AMENDMENT NO. 2

On page 1, in line 6, after “law” insert “and is ordered to transfer certain firearms in accordance with this Act”; strike beginning with “and” in line 7 down through “Act” in line 10; strike beginning with “requiring” in line 11 down through “period;” in line 14; strike beginning with “requiring” in line 15 down through “seizure;” in line 16; and in line 17, after “procedures;” insert “requiring the Maryland Police Training and Standards Commission to develop and maintain a certain curriculum relating to certain investigations.”.

On page 2, in line 5, after “Section” insert “3-207(i) and”.

AMENDMENT NO. 3

On page 2, after line 26, insert:

**“(6) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3-201 OF THE PUBLIC SAFETY ARTICLE.”;**

and in lines 27, 29, and 31, strike “**(6)**”, “**(7)**”, and “**(8)**”, respectively, and substitute “**(7)**”, “**(8)**”, and “**(9)**”, respectively.

On page 3, in line 1, strike “**(9)**” and substitute “**(10)**”; in line 4, strike “**THAT IS POTENTIALLY**” and substitute “**AND THE UNDERLYING FACTS OF THAT CRIME WOULD SUPPORT A FINDING BY THE COURT UNDER § 6-233 OF THIS SUBTITLE**”.

(Over)

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THAT THE CRIME IS"; in line 15, strike "ON CONVICTION OF OR PLEA OF GUILTY" and substitute "WHEN A DEFENDANT IS CONVICTED OF OR PLEADS GUILTY"; in line 17, strike "EITHER" and substitute "BOTH"; in the same line, strike "OR" and substitute "AND"; in the same line, strike "WRITING," and substitute "A WRITTEN NOTICE TO BE SIGNED BY THE DEFENDANT,"; in line 18, strike "PROHIBITED FROM POSSESSING"; in line 19, after "(1)" insert "PROHIBITED FROM POSSESSING"; in line 20, strike "AND"; in line 21, after "(2)" insert "PROHIBITED FROM POSSESSING"; in line 22, after "ARTICLE" insert ";AND

(3) ORDERED TO TRANSFER ALL REGULATED FIREARMS, RIFLES, AND SHOTGUNS OWNED BY THE DEFENDANT OR IN THE DEFENDANT'S POSSESSION IN ACCORDANCE WITH THIS SECTION";

strike beginning with the colon in line 23 down through "(1)" in line 24; and strike beginning with the semicolon in line 26 down through "SECTION" in line 30.

On page 4, in lines 1, 5, and 7, in each instance, strike "OFFICIAL" and substitute "AGENCY".

On pages 4 and 5, strike in their entirety the lines beginning with line 22 on page 4 through line 8 on page 5, inclusive, and substitute:

"(F) ON APPLICATION BY THE STATE'S ATTORNEY OR A LAW ENFORCEMENT OFFICIAL BASED ON PROBABLE CAUSE TO BELIEVE THAT THE PERSON HAS FAILED TO SURRENDER ONE OR MORE REGULATED FIREARMS, RIFLES, OR SHOTGUNS, IN ACCORDANCE WITH THIS SECTION, THE COURT MAY AUTHORIZE THE EXECUTION OF A SEARCH WARRANT FOR THE REMOVAL OF ANY REGULATED FIREARM, RIFLE, OR SHOTGUN AT ANY LOCATION WHERE THE COURT HAS PROBABLE CAUSE TO BELIEVE A REGULATED FIREARM, RIFLE, OR SHOTGUN OWNED OR POSSESSED BY THE PERSON IS LOCATED."

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in line 9, strike “(H)” and substitute “(G)”; and in line 24, strike “OFFICIAL” and substitute “AGENCY”.

On page 6, in lines 5 and 29, in each instance, strike “OFFICIAL” and substitute “AGENCY”; and after line 19, insert:

“3-207.

**(I) THE COMMISSION, IN CONSULTATION WITH THE MARYLAND STATE’S ATTORNEYS’ ASSOCIATION, SHALL DEVELOP AND MAINTAIN A UNIFORM, STATEWIDE TRAINING AND CERTIFICATION CURRICULUM TO ENSURE USE OF BEST PRACTICES IN INVESTIGATING COMPLIANCE WITH COURT ORDERS TO SURRENDER REGULATED FIREARMS, RIFLES, AND SHOTGUNS UNDER § 6-234 OF THE CRIMINAL PROCEDURE ARTICLE.**”

On page 7, in line 17, strike “OFFICIAL” and substitute “AGENCY”.