

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2019, Legislative Day No. 21

Bill No. 72-19

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Mr. Tom Quirk, Chairman  
By Request of County Executive

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By the County Council, December 16, 2019

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A BILL  
ENTITLED

AN ACT concerning

Secure All Firearms Effectively (SAFE) Act

FOR the purpose requiring firearms dealers to comply with certain inventory security

requirements under certain circumstances; providing certain alarm system requirements;

requiring a certain dealer to obtain a certain license; authorizing a fee for the license;

providing for the term of the license; providing for an application for a license; providing

for certain inspections; providing for approval or rejection of the license under certain

circumstances; prohibiting transfer of a license; requiring certain inventory security

measures under certain circumstances; requiring certain records to accompany certain

firearms under certain circumstances; providing for certain enforcement authority;

authorizing the adoption of certain regulations; providing for the severability of this Act;

providing for a grandfathering of certain dealers under certain circumstances; altering a

certain definition; defining certain terms; and generally relating to firearms dealer

inventory security.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

By repealing and reenacting, with amendments

Section 21-1-101  
Title 1. In General  
Article 21. Permits, Licenses and Business Regulation  
Baltimore County Code, 2015

By adding

Sections 21-23-101 through 21-23-116  
Title 23. Secure All Firearms Effectively (SAFE) Act  
Article 21. Permits, Licenses and Business Regulation  
Baltimore County Code, 2015

1           SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, That the Laws of Baltimore County shall read as follows:

3

4

Article 21. Permits, Licenses and Business Regulation.

5

Title 1. In General.

6

7 § 21-1-101.

8

(a) In this article the following words have the meanings indicated.

9

(b) "Chief of Police" means the county Chief of Police or the Chief's designee.

10

(c) "Department" means the Department of Permits, Approvals and Inspections.

11

(d) "Director" means the Director of the Department of Permits, Approvals and Inspections OR

12

THE DIRECTOR'S DESIGNEE.

13

14 TITLE 23. SECURE ALL FIREARMS EFFECTIVELY (SAFE) ACT.

15

16

1 § 21-23-101.

2 (A) IN THIS TITLE THE FOLLOWING TERMS HAVE THE MEANINGS  
3 INDICATED.

4 (B)(1) "DEALER" MEANS A PERSON WHO IS ENGAGED IN THE BUSINESS OF  
5 SELLING, RENTING, OR TRANSFERRING FIREARMS AT WHOLESALE OR RETAIL IN  
6 SPACE OPEN OR ADVERTISED TO THE PUBLIC.

7 (2) "DEALER" INCLUDES THE DEALER'S AGENT.

8 (C) "FIREARM" MEANS:

9 (1) A WEAPON THAT EXPELS, IS DESIGNED TO EXPEL, OR MAY  
10 READILY BE CONVERTED TO EXPEL A PROJECTILE BY THE ACTION OF AN  
11 EXPLOSIVE; OR

12 (2) THE FRAME OR RECEIVER OF SUCH A WEAPON.

13 (D) "GUN SHOW" MEANS ANY ORGANIZED GATHERING OPEN TO THE  
14 PUBLIC AT WHICH ANY FIREARM IS DISPLAYED.

15 (E)(1) "PERSON" MEANS ANY INDIVIDUAL, CORPORATION, PARTNERSHIP,  
16 JOINT VENTURE, FIRM, ASSOCIATION, OR OTHER ENTITY.

17 (2) "PERSON" DOES NOT INCLUDE A GOVERNMENTAL ENTITY OR AN  
18 INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

19 (F) "PLACE OF PUBLIC ASSEMBLY" MEANS A LOCATION USED FOR A  
20 GATHERING OF 50 OR MORE PERSONS FOR DELIBERATION, WORSHIP,  
21 ENTERTAINMENT, EATING, DRINKING, AMUSEMENT, SHOPPING, AWAITING  
22 TRANSPORTATION OR SIMILAR USES.

23

1 § 21-23-102.

2 THIS TITLE APPLIES TO DEALERS SELLING, RENTING, OR TRANSFERRING AT  
3 WHOLESALE OR RETAIL FIREARMS WITHIN 100 YARDS OF OR IN A PARK, HOUSE  
4 OF WORSHIP, SCHOOL, PUBLIC BUILDING OR OTHER PLACE OF PUBLIC  
5 ASSEMBLY.

6

7 § 21-23-103.

8 A PERSON MAY NOT DO BUSINESS AS A DEALER WITHOUT HAVING FIRST  
9 OBTAINED A LICENSE TO DO SO FROM THE DIRECTOR.

10

11 § 21-23-104.

12 (A) THE DIRECTOR MAY CHARGE A LICENSE APPLICATION FEE AND A FEE  
13 FOR EACH LICENSE REQUIRED BY THIS TITLE.

14 (B) A LICENSE SHALL BE ISSUED FOR ONE YEAR AND THE LICENSE FEE  
15 MAY BE DUE ON APPLICATION FOR A NEW OR RENEWED LICENSE.

16 (C)(1) THE COUNTY MAY NOT REFUND A LICENSE APPLICATION FEE.

17 (2) THE COUNTY MAY REFUND A FIRST ONE-YEAR LICENSE FEE  
18 SUBMITTED WITH THE INITIAL APPLICATION IF THE INITIAL LICENSE IS NOT  
19 GRANTED.

20 (D) THE COUNTY ADMINISTRATIVE OFFICER MAY ESTABLISH A FEE  
21 SCHEDULE FOR A LICENSE APPLICATION AND A LICENSE, INCLUDING THE  
22 RENEWAL FEE.

1 (E) IF A PERSON REQUIRED TO BE LICENSED UNDER THIS TITLE CEASES TO  
2 DO BUSINESS AS A DEALER, THE LICENSE SHALL BE RETURNED TO THE  
3 DEPARTMENT ON CESSATION OF TRANSACTIONS INVOLVING THE TRANSFER OF  
4 FIREARMS.

5  
6 § 21-23-105.

7 (A) AN APPLICATION FOR A LICENSE SHALL BE SUBMITTED TO THE  
8 DEPARTMENT ON A FORM REQUIRED BY THE DIRECTOR.

9 (B) AN APPLICATION SHALL INCLUDE A STATEMENT ATTESTING TO THE  
10 TRUTH OF THE INFORMATION PROVIDED UNDER PENALTIES OF PERJURY, WHICH  
11 SHALL BE SIGNED BY:

- 12 (1) EACH INDIVIDUAL LISTED ON THE APPLICATION; OR
- 13 (2) IF THE APPLICANT IS A CORPORATION, ASSOCIATION,  
14 PARTNERSHIP, SOLE PROPRIETORSHIP, OR OTHER BUSINESS ENTITY, EACH  
15 AUTHORIZED OFFICER, DIRECTOR, OR GENERAL PARTNER OF THE APPLICANT.

16 (C) AN APPLICATION SHALL BE ACCOMPANIED BY PAYMENT OF THE  
17 APPLICATION FEE AND THE LICENSE FEE FOR THE FIRST ONE-YEAR TERM.

18 (D) A MINOR MAY NOT RECEIVE A LICENSE UNDER THIS TITLE.

19 (E) DURING THE TERM OF THE LICENSE, IF THERE IS A CHANGE IN THE  
20 INFORMATION THAT A PERSON PROVIDED IN AN APPLICATION FOR A LICENSE  
21 OR LICENSE RENEWAL, THE PERSON SHALL:

- 22 (1) REPORT THE CHANGE TO THE DEPARTMENT WITHIN 30 DAYS  
23 AFTER THE CHANGE OCCURS; AND

1                   (2) CERTIFY, UNDER PENALTIES OF PERJURY, THAT THE NEW  
2 INFORMATION IS CORRECT.

3                   (F) AN APPLICATION SHALL INCLUDE AN AUTHORIZATION FOR  
4 GOVERNMENTAL INSPECTION, INCLUDING INSPECTION BY THE CHIEF OF  
5 POLICE, OF THE PREMISES OR ANY OFF-SITE STORAGE LOCATION AT ANY TIME  
6 FOR THE PURPOSE OF ENSURING COMPLIANCE WITH THIS TITLE.

7  
8 § 21-23-106.

9 THE DIRECTOR MAY APPROVE AN APPLICATION UNLESS:

10                  (1)THE INFORMATION PROVIDED BY THE APPLICANT IS INCORRECT OR  
11 INCOMPLETE; OR

12                  (2)THE PREMISES LISTED IN THE APPLICATION DOES NOT COMPLY WITH  
13 THE COUNTY'S HEALTH, ZONING, FIRE, OR BUILDING CODE REQUIREMENTS.

14  
15 § 21-23-107.

16                  (A) A LICENSE TO DO BUSINESS AS A DEALER MAY NOT BE TRANSFERRED  
17 FROM ONE PERSON TO ANOTHER.

18                  (B) A PERSON WHO HOLDS A LICENSE UNDER THIS TITLE SHALL NOTIFY  
19 THE DIRECTOR IN WRITING BEFORE MOVING THE ESTABLISHMENT OR ANY OFF-  
20 SITE STORAGE LOCATION FROM ONE LOCATION TO ANOTHER LOCATION.

21  
22 § 21-23-108.

23                  (A) THIS SECTION DOES NOT APPLY TO A GUN SHOW.

1 (B) THE BUSINESS PREMISES OF A DEALER SHALL:

2 (1) BE MONITORED AT ALL TIMES BY:

3 (I) AN ALARM SYSTEM REGISTERED IN ACCORDANCE WITH  
4 ARTICLE 13, TITLE 11, SUBTITLE 2 OF THE CODE; AND

5 (II) A VIDEO SYSTEM; AND

6 (2) EXCEPT AS PROVIDED IN SUBSECTION (C)(1) OF THIS SECTION,  
7 INCLUDE THE FOLLOWING PHYSICAL SECURITY ELEMENTS:

8 (I) BOLLARDS OR ANOTHER PHYSICAL BARRIER TO PREVENT  
9 VEHICLE INTRUSION INTO THE BUILDING;

10 (II) SECURITY GATES OR SECURITY SCREENS OVER WINDOWS,

11 AND:

12 1. SECURITY GATES OR SECURITY SCREENS OVER  
13 DOORS; OR

14 2. A SECURE VESTIBULE FOR DOORS; AND

15 (III) EXCEPT AS PROVIDED IN SUBSECTION (C)(2) OF THIS  
16 SECTION, ALL FIREARMS SECURED IN A SAFE, A SECURE ROOM, IN A SECURED  
17 CAGE, OR BEHIND SECURITY SHUTTERS WHEN THE BUSINESS PREMISES ARE  
18 CLOSED.

19 (C)(1) AS AN ALTERNATIVE TO THE REQUIREMENTS OF SUBSECTION (B)(2)  
20 OF THIS SECTION, THE CHIEF OF POLICE MAY APPROVE ANOTHER COMBINATION  
21 OF PHYSICAL SECURITY ELEMENTS THAT PROVIDE AN ADEQUATE LEVEL OF  
22 PROTECTION.

1 (2) AS AN ALTERNATIVE TO THE REQUIREMENTS OF SUBSECTION  
2 (B)(2)(III) OF THIS SECTION, THE CHIEF OF POLICE MAY AUTHORIZE THE  
3 DEALER TO PROVIDE LIVE SECURITY GUARD COVERAGE.

4 (D)(1) THE CHIEF OF POLICE SHALL REVIEW AND APPROVE ALL PLANS FOR  
5 COMPLIANCE WITH THIS SECTION.

6 (2) THE DEALER MAY NOT HAVE FIREARM INVENTORY ON THE  
7 PREMISES UNTIL AFTER THE CHIEF OF POLICE HAS CONFIRMED  
8 IMPLEMENTATION OF THE APPROVED SECURITY PLAN.

9  
10 § 21-23-109.

11 (A)(1) A GUN SHOW SHALL HAVE A SECURITY PLAN APPROVED BY THE  
12 CHIEF OF POLICE.

13 (2) EACH DEALER SHALL COMPLY WITH THE SECURITY PLAN.

14 (B) THE SECURITY PLAN SHALL, AT A MINIMUM, INCLUDE FOR ALL TIMES  
15 THAT THE PREMISES ARE NOT OPEN TO THE PUBLIC AND HAVE FIREARMS ON-  
16 SITE:

17 (1) PROVISIONS FOR:

18 1. A MONITORED ALARM SYSTEM UNDER ARTICLE 13,  
19 TITLE 11, SUBTITLE 2 OF THE CODE; AND

20 2. A VIDEO SYSTEM; AND

21 (2) LIVE SECURITY GUARD COVERAGE.

22 (C)(1) THE CHIEF OF POLICE SHALL REVIEW AND APPROVE ALL PLANS FOR  
23 COMPLIANCE WITH THIS SECTION.



1                   (2) A GUN SHOW DEALER MAY NOT HAVE FIREARM INVENTORY ON  
2 THE PREMISES UNTIL AFTER THE CHIEF OF POLICE HAS CONFIRMED  
3 IMPLEMENTATION OF THE APPROVED SECURITY PLAN.

4  
5 § 21-23-110.

6                   (A) A DEALER SUBJECT TO THIS TITLE TRANSPORTING FIREARMS FOR  
7 SALE, WITHIN THE COUNTY, SHALL AT ALL TIMES HAVE IN THEIR POSSESSION  
8 AN INVENTORY LIST FOR EACH FIREARM BEING TRANSPORTED, WHICH SHALL  
9 INCLUDE, AT A MINIMUM, THE MAKE AND SERIAL NUMBER OF THE ITEM.

10                  (B) A COPY OF THE INVENTORY LIST SHALL AT ALL TIMES:

- 11                   (1) ACCOMPANY THE FIREARM;
- 12                   (2) BE AVAILABLE AT THE DEALER'S BUSINESS PREMISES; AND
- 13                   (3) BE PROVIDED TO LAW ENFORCEMENT ON REQUEST.

14  
15 § 21-23-111.

16                  (A) THE DIRECTOR MAY ISSUE AN ORDER DENYING, REFUSING TO RENEW,  
17 REVOKING, OR SUSPENDING A LICENSE FOR THE FOLLOWING REASONS:

18                   (1) THE INFORMATION PROVIDED BY THE LICENSEE OR APPLICANT  
19 IN THE APPLICATION IS INCORRECT, INCOMPLETE, OR HAS NOT BEEN UPDATED  
20 AS REQUIRED BY THIS TITLE;

21                   (2) A LICENSEE HAS FAILED TO COMPLY WITH A CORRECTION  
22 NOTICE OR CITATION; OR

1 (3) THE LICENSEE OR APPLICANT HAS VIOLATED ONE OR MORE OF  
2 THE PROVISIONS OF THIS TITLE.

3 (B)(1) AN ORDER DENYING, REFUSING TO RENEW, REVOKING, OR  
4 SUSPENDING A LICENSE SHALL BE SERVED ON THE LICENSEE OR APPLICANT BY  
5 CERTIFIED MAIL, RESTRICTED DELIVERY OR BY PERSONAL SERVICE.

6 (2) THE ORDER SHALL CONTAIN THE REASONS FOR THE DENIAL,  
7 REFUSAL TO RENEW, REVOCATION, OR SUSPENSION.

8 (3) IF SERVICE CANNOT BE OBTAINED BY CERTIFIED MAIL,  
9 RESTRICTED DELIVERY OR PERSONAL SERVICE, THE NOTICE MAY BE POSTED IN  
10 A CONSPICUOUS LOCATION ON THE DEALER'S ESTABLISHMENT.

11 (C)(1) AN APPLICANT FOR A LICENSE UNDER THIS TITLE WHOSE  
12 APPLICATION HAS BEEN REFUSED OR A LICENSEE WHOSE LICENSE HAS BEEN  
13 SUSPENDED OR REVOKED MAY APPEAL THE DECISION OF THE DIRECTOR TO THE  
14 BOARD OF APPEALS WITHIN 10 DAYS AFTER REFUSAL, SUSPENSION, OR  
15 REVOCATION OF THE LICENSE.

16 (2) THE BOARD OF APPEALS SHALL CONDUCT A HEARING ON THE  
17 APPEAL AND SHALL AFFIRM, REVERSE, OR MODIFY THE DECISION OF THE  
18 DIRECTOR.

19  
20 § 21-23-112.

21 (A) THE CHIEF OF POLICE MAY INSTITUTE ANY ACTION AT LAW OR  
22 EQUITY, INCLUDING INJUNCTION OR MANDAMUS, TO ENFORCE THE PROVISIONS  
23 OF THIS TITLE.

1 (B)(1) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, IF THE CHIEF  
2 OF POLICE DETERMINES THAT A VIOLATION OF THIS TITLE HAS OCCURRED  
3 THAT MAY BRING THE SECURITY OF FIREARMS INTO QUESTION, THE CHIEF MAY  
4 POST ONE OR MORE OFFICERS OR SECURITY GUARDS AT THE LOCATION AT THE  
5 EXPENSE OF THE OWNER OF THE PREMISES UNTIL EITHER:

6 (I) THE VIOLATION HAS BEEN ABATED TO THE SATISFACTION  
7 OF THE CHIEF OF POLICE; OR

8 (II) THE INVENTORY HAS BEEN REMOVED TO A SECURE  
9 LOCATION AND THE CHIEF HAS VERIFIED THE MOVE.

10 (2) THE OWNER MAY APPEAL THE AMOUNT OF AN INVOICE  
11 PROVIDED UNDER THIS SUBSECTION TO THE COUNTY ADMINISTRATIVE  
12 OFFICER.

13 (3) ANY UNPAID FEES SHALL BE CONSIDERED A LIEN ON THE  
14 PROPERTY IN ACCORDANCE WITH § 3-6-401 OF THE CODE.

15  
16 § 21-23-113.

17 (A) IF A VIOLATION OF THIS TITLE IS FOUND, THE DIRECTOR MAY PROVIDE  
18 TO THE DEALER A CORRECTION NOTICE THAT DESCRIBES THE VIOLATION,  
19 SPECIFIES THE ACTION NECESSARY TO CORRECT THE VIOLATION, AND SETS  
20 FORTH THE TIME TO CORRECT THE VIOLATION.

21 (B)(1) THE DIRECTOR SHALL SERVE A CORRECTION NOTICE BY CERTIFIED  
22 MAIL, RESTRICTED DELIVERY OR BY PERSONAL SERVICE OR BY REGULAR MAIL.

1 (2) IF SERVICE CANNOT BE OBTAINED BY CERTIFIED MAIL,  
2 RESTRICTED DELIVERY OR PERSONAL SERVICE OR BY REGULAR MAIL, THE  
3 CORRECTION NOTICE MAY BE POSTED IN A CONSPICUOUS LOCATION ON THE  
4 DEALER'S ESTABLISHMENT.

5 (C)(1) IF DEALER FAILS TO COMPLY WITH THE CORRECTION NOTICE, THE  
6 DIRECTOR MAY ISSUE A CITATION AND CODE ENFORCEMENT PROCEEDINGS  
7 SHALL CONTINUE AS PROVIDED IN ARTICLE 3, TITLE 6 OF THE CODE.

8 (2) SECTION 3-6-205(B) OF THE CODE DOES NOT APPLY TO AN  
9 ENFORCEMENT ACTION FOR A VIOLATION OF THIS TITLE.

10

11 § 21-23-114.

12 THE CHIEF OF POLICE AND THE DIRECTOR MAY EACH ADOPT REGULATIONS TO  
13 CARRY OUT THE PURPOSES OF THIS TITLE.

14

15 § 21-23-115.

16 IF ANY SECTION, SUBSECTION, SENTENCE, CLAUSE, PHRASE, OR PORTION OF  
17 THIS TITLE IS, FOR ANY REASON, HELD INVALID OR UNCONSTITUTIONAL BY A  
18 COURT OF COMPETENT JURISDICTION, THE PORTION IS DEEMED A SEPARATE,  
19 DISTINCT, AND INDEPENDENT PROVISION. THE HOLDING DOES NOT AFFECT THE  
20 VALIDITY OF THE REMAINING PORTION OF THIS TITLE. IT IS THE INTENT OF THE  
21 COUNTY THAT THIS TITLE WOULD HAVE BEEN ENACTED NOTWITHSTANDING  
22 THE INVALIDITY OF ANY SECTION, SUBSECTION, SENTENCE, CLAUSE, PHRASE,  
23 OR PORTION OF THE TITLE.

1 § 21-23-116.

2 THIS TITLE MAY BE CITED AS THE “SECURE ALL FIREARMS EFFECTIVELY (SAFE)  
3 ACT.”

4

5 SECTION 2. AND BE IT FURTHER ENACTED, That any firearms dealer in existence  
6 on or before the effective date of this Act that would otherwise be subject to the requirements of  
7 §§ 21-23-101 through 21-23-108 and 21-23-110 through 21-23-116 of the Baltimore County  
8 Code, 2015 shall comply with the requirements of those sections not more than 180 days after  
9 the effective date of this Act.

10

11 SECTION 3. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days  
12 from the date of enactment.