

CHAPTER 404

(House Bill 1531)

AN ACT to repeal and re-enact, with amendments, Section 119 of Article 27 of the Annotated Code of Maryland (1967 Replacement Volume), title and subtitle "Crimes and Punishments," subheading "Destroying, Injuring, Etc., Property Maliciously"; to repeal Section 120 of the same Article, title and subtitle; to repeal and re-enact, with amendments, Sections 27, 28, 29, 31, 32(C), 33, 34 and 35 of Article 38A of the Annotated Code of Maryland (1965 Replacement Volume), title "Fires and Investigations," subtitle "Explosives," and to enact a new ~~Section~~ SECTIONS 27A AND 27B as part of the same Article, title and subtitle, to follow immediately after Section 27 thereof, AND TO ENACT A NEW SECTION 31A AS PART OF THE SAME ARTICLE, TITLE AND SUBTITLE TO FOLLOW IMMEDIATELY AFTER SECTION 31 THEREOF, AND TO ENACT A NEW SECTION 33A AS PART OF THE SAME ARTICLE, TITLE AND SUBTITLE TO FOLLOW IMMEDIATELY AFTER SECTION 33 THEREOF, and to enact new Sections 34A, 34B, 34C, 34D, 34E and 34F AND 34G as part of the same Article, title and subtitle, to follow immediately after Section 34 thereof; to increase the penalties for wilful and malicious destruction of property by means of explosives, and to expand the categories of property the destruction of which by such means is prohibited; to increase the penalties for manufacturing, ~~hand manufacturing~~, dealing in or possessing CERTAIN explosives without a license; to change and supplement the reasons for which a license to manufacture, ~~hand manufacture~~, deal in or possess explosives shall be denied; to require additional information in license applications for possession of explosives; to make it a crime under certain circumstances to aid, counsel or otherwise further or conspire in a violation of the law prohibiting unlicensed possession of explosives; to provide for the forfeiture of vehicles, vessels and aircraft used in connection with certain violations of the aforementioned subtitle entitled "Explosives"; TO DELETE THE PROVISIONS OF SAID SUBTITLE CONCERNING HAND MANUFACTURE OF EXPLOSIVES; TO PROVIDE FOR THE ISSUANCE OF LICENSES FOR POSSESSION OF GUN POWDER AND OTHER EXPLOSIVES NECESSARY FOR THE MANUFACTURE OF AMMUNITION FOR SMALL ARMS; to provide that the defendant or the holder of an alleged security interest shall have the burden of proving that he falls within any exception, excuse, proviso, or exemption of said subtitle; to correct certain inaccurate references and to update certain obsolete material in said subtitle; and relating generally to the laws of this State concerning manufacture, hand manufacture, dealing in and possession of explosives, the issuance of licenses therefor, penalties for violation thereof, and the burden of proof in cases concerned therewith.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 119 of Article 27 of the Annotated Code of Maryland (1967 Replacement Volume), title and subtitle, "Crimes and Punishments," subheading, "Destroying, Injuring, Etc., Property Maliciously," be and it is hereby repealed and re-enacted, with amendments, to read as follows: