

5-133. RESTRICTIONS ON POSSESSION OF REGULATED FIREARMS.

(A) PREEMPTION BY STATE.

THIS SECTION SUPERSEDES ANY RESTRICTION THAT A LOCAL JURISDICTION IN THE STATE IMPOSES ON THE POSSESSION BY A PRIVATE PARTY OF A REGULATED FIREARM, AND THE STATE PREEMPTS THE RIGHT OF ANY LOCAL JURISDICTION TO REGULATE THE POSSESSION OF A REGULATED FIREARM.

(B) POSSESSION OF REGULATED FIREARM PROHIBITED.

A PERSON MAY NOT POSSESS A REGULATED FIREARM IF THE PERSON:

- (1) HAS BEEN CONVICTED OF A DISQUALIFYING CRIME;
- (2) HAS BEEN CONVICTED OF A VIOLATION CLASSIFIED AS A COMMON LAW CRIME AND RECEIVED A TERM OF IMPRISONMENT OF MORE THAN 2 YEARS;
- (3) IS A FUGITIVE FROM JUSTICE;
- (4) IS A HABITUAL DRUNKARD;
- (5) IS ADDICTED TO A CONTROLLED DANGEROUS SUBSTANCE OR IS A HABITUAL USER;
- (6) SUFFERS FROM A MENTAL DISORDER AS DEFINED IN § 10-101(F)(2) OF THE HEALTH - GENERAL ARTICLE AND HAS A HISTORY OF VIOLENT BEHAVIOR AGAINST THE PERSON OR ANOTHER, UNLESS THE PERSON HAS A PHYSICIAN'S CERTIFICATE THAT THE PERSON IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PERSON OR TO ANOTHER;
- (7) HAS BEEN CONFINED FOR MORE THAN 30 CONSECUTIVE DAYS TO A FACILITY AS DEFINED IN § 10-101 OF THE HEALTH - GENERAL ARTICLE, UNLESS THE PERSON HAS A PHYSICIAN'S CERTIFICATE THAT THE PERSON IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PERSON OR TO ANOTHER;
- (8) IS A RESPONDENT AGAINST WHOM A CURRENT NON EX PARTE CIVIL PROTECTIVE ORDER HAS BEEN ENTERED UNDER § 4-506 OF THE FAMILY LAW ARTICLE; OR
- (9) IF UNDER THE AGE OF 30 YEARS AT THE TIME OF POSSESSION, HAS BEEN ADJUDICATED DELINQUENT BY A JUVENILE COURT FOR AN ACT THAT WOULD BE A DISQUALIFYING CRIME IF COMMITTED BY AN ADULT.

(C) PENALTY FOR POSSESSION BY CONVICTED FELON.

- (1) A PERSON MAY NOT POSSESS A REGULATED FIREARM IF THE PERSON WAS PREVIOUSLY CONVICTED OF:
  - (I) A CRIME OF VIOLENCE;
  - (II) A VIOLATION OF § 5-602, § 5-603, § 5-604, § 5-605, § 5-606, § 5-607, § 5-608, § 5-609, § 5-612, § 5-613, OR § 5-614 OF THE CRIMINAL LAW ARTICLE; OR