

(2) AFTER A FINDING OF GUILT, DISPOSED OF IN ACCORDANCE WITH TITLE 13, SUBTITLE 2 OF THE CRIMINAL PROCEDURE ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 445B.

Defined term: "Regulated firearm" § 5-101

5-136. STRAW PURCHASES.

(A) SCOPE OF SECTION.

(1) THIS SECTION DOES NOT APPLY TO A PERSON WHO PURCHASES A REGULATED FIREARM AS A GIFT IF:

(I) THE REGULATED FIREARM IS A GIFT TO A RESIDENT OF THE STATE; AND

(II) 1. BOTH THE PURCHASER AND RECIPIENT OF THE GIFT COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE THAT RELATE TO THE POSSESSION, SALE, RENTAL, RECEIPT, TRANSFER, OR PURCHASE OF A REGULATED FIREARM; OR

2. IF THE GIFT IS IN THE FORM OF A GIFT CERTIFICATE, ONLY THE RECIPIENT OF THE GIFT NEED COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE THAT RELATE TO THE POSSESSION, SALE, RENTAL, RECEIPT, TRANSFER, OR PURCHASE OF A REGULATED FIREARM.

(2) IF THE REGULATED FIREARM IS A GIFT TO THE PURCHASER'S SPOUSE, PARENT, GRANDPARENT, GRANDCHILD, SIBLING, OR CHILD, THE RECIPIENT SHALL:

(I) COMPLETE AN APPLICATION TO PURCHASE OR TRANSFER A REGULATED FIREARM; AND

(II) FORWARD THE APPLICATION TO THE SECRETARY WITHIN 5 DAYS AFTER RECEIPT OF THE REGULATED FIREARM.

(3) THE SECRETARY SHALL WAIVE THE \$10 APPLICATION FEE REQUIRED UNDER § 5-118(A)(2) OF THIS SUBTITLE FOR A GIFT PURCHASED IN ACCORDANCE WITH THIS SUBSECTION.

(B) PROHIBITED.

A PERSON MAY NOT KNOWINGLY OR WILLFULLY PARTICIPATE IN A STRAW PURCHASE OF A REGULATED FIREARM.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 442(b).

In subsection (a)(2) of this section, the reference to "the purchaser's" spouse, parent, grandparent, grandchild, sibling, or child is added for clarity.