

(4) A FIREARM THAT CANNOT:

(I) DISCHARGE A PROJECTILE BY AN EXPLOSIVE; AND

(II) BE READILY RESTORED TO A FIRING CONDITION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 481C(a)(6).

This section is revised as an exclusion of certain types of weapons from the scope of this subtitle rather than as parts of the definitions of "short-barreled rifle" and "short-barreled shotgun" for clarity.

In item (4)(i) of this section, the reference to a "projectile" is substituted for the former reference to a "shot" to conform to the terminology used in CR § 4-201. *See also* § 5-101(h) of this title.

Defined terms: "Short-barreled rifle" § 5-201

"Short-barreled shotgun" § 5-201

5-203. POSSESSION OF SHORT-BARRELED RIFLE OR SHORT-BARRELED SHOTGUN.

(A) PROHIBITED.

A PERSON MAY NOT POSSESS A SHORT-BARRELED RIFLE OR SHORT-BARRELED SHOTGUN UNLESS:

(1) THE PERSON, WHILE ON OFFICIAL BUSINESS IS:

(I) A MEMBER OF THE LAW ENFORCEMENT PERSONNEL OF THE FEDERAL GOVERNMENT, THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE;

(II) A MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR THE NATIONAL GUARD WHILE ON DUTY OR TRAVELING TO OR FROM DUTY;

(III) A MEMBER OF THE LAW ENFORCEMENT PERSONNEL OF ANOTHER STATE OR A POLITICAL SUBDIVISION OF ANOTHER STATE, WHILE TEMPORARILY IN THIS STATE;

(IV) A WARDEN OR CORRECTIONAL OFFICER OF A CORRECTIONAL FACILITY IN THE STATE; OR

(V) A SHERIFF OR A TEMPORARY OR FULL-TIME DEPUTY SHERIFF;

AND

(2) THE SHORT-BARRELED SHOTGUN OR SHORT-BARRELED RIFLE HAS BEEN REGISTERED WITH THE FEDERAL GOVERNMENT IN ACCORDANCE WITH FEDERAL LAW.

(B) BURDEN OF PROOF.

IN A PROSECUTION UNDER THIS SECTION, THE DEFENDANT HAS THE BURDEN OF PROVING THE LAWFUL REGISTRATION OF THE SHORT-BARRELED SHOTGUN OR SHORT-BARRELED RIFLE.