

In subsection (g) of this section, the reference to being guilty "of a misdemeanor" is added to state expressly that which was only implied in the former law. In this State, any crime that was not a felony at common law and has not been declared a felony by statute is considered to be a misdemeanor. See *State v. Canova*, 278 Md. 483, 490 (1976); *Bowser v. State*, 136 Md. 342, 345 (1920); *Dutton v. State*, 123 Md. 373, 378 (1914); and *Williams v. State*, 4 Md. App. 342, 347 (1968).

Also in subsection (g) of this section, the former phrases "in the discretion of the court" are deleted as implicit in the prerogatives of courts.

The Public Safety Article Review Committee notes, for consideration by the General Assembly, that the reference in former Art. 38A, § 34 to former § 32 appears to be incorrect. Former § 32 covered administrative provisions. The Committee suggests that corrective legislation is needed.

Defined terms: "Dealer" § 11-101

"Explosives" § 11-101

"Explosives for use in firearms" § 11-101

"Manufacturer" § 11-101

"Person" § 1-101

11-115. SAME — EXPLOSIVES FOR USE IN FIREARMS; REQUIRED REPORTS.

(A) PROHIBITIONS ON POSSESSION OR STORAGE OF EXPLOSIVES FOR USE IN FIREARMS.

(1) A PERSON MAY NOT POSSESS AT ANY TIME OR STORE IN ANY ONE PLACE MORE THAN 5 POUNDS OF SMOKELESS POWDER OR MORE THAN 5 POUNDS OF BLACK POWDER FOR USE IN FIREARMS UNLESS THE PERSON IS LICENSED UNDER THIS SUBTITLE.

(2) A PERSON MAY NOT ENGAGE IN THE BUSINESS OF LOADING OR RELOADING SMALL ARMS AMMUNITION UNLESS THE PERSON IS LICENSED TO ENGAGE IN BUSINESS AS A DEALER UNDER THIS SUBTITLE.

(3) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A PERSON MAY NOT POSSESS OR STORE EXPLOSIVES FOR USE IN FIREARMS IN ANY QUANTITY IN MULTIFAMILY DWELLINGS, APARTMENTS, DORMITORIES, HOTELS, SCHOOLS OR OTHER PUBLIC BUILDINGS, OR BUILDINGS OR STRUCTURES OPEN FOR PUBLIC USE.

(B) PROHIBITION ON SALE OF EXPLOSIVES FOR USE IN FIREARMS.

A DEALER MAY NOT SELL, BARTER, GIVE, OR DISPOSE OF MORE THAN 5 POUNDS OF BLACK POWDER OR MORE THAN 5 POUNDS OF SMOKELESS POWER FOR USE IN FIREARMS TO ANY ONE PERSON AT ANY ONE TIME UNLESS THE PERSON IS LICENSED UNDER THIS SUBTITLE.

(C) FAILURE TO FILE REPORTS OR RECORDS PROHIBITED.

A PERSON MAY NOT FAIL TO FILE REPORTS OR RECORDS REQUIRED UNDER § 11-112 OF THIS SUBTITLE.