

A PERSON MAY NOT STORE OR LEAVE A LOADED FIREARM IN A LOCATION WHERE THE PERSON KNEW OR SHOULD HAVE KNOWN THAT AN UNSUPERVISED CHILD WOULD GAIN ACCESS TO THE FIREARM.

(D) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000.

(E) EFFECT OF VIOLATION.

(1) A VIOLATION OF THIS SECTION MAY NOT:

- (I) BE CONSIDERED EVIDENCE OF NEGLIGENCE;
- (II) BE CONSIDERED EVIDENCE OF CONTRIBUTORY NEGLIGENCE;
- (III) LIMIT LIABILITY OF A PARTY OR AN INSURER; OR

(IV) DIMINISH RECOVERY FOR DAMAGES ARISING OUT OF THE OWNERSHIP, MAINTENANCE, OR OPERATION OF A FIREARM OR AMMUNITION.

(2) A PARTY, WITNESS, OR LAWYER MAY NOT REFER TO A VIOLATION OF THIS SECTION DURING A TRIAL OF A CIVIL ACTION THAT INVOLVES PROPERTY DAMAGE, PERSONAL INJURY, OR DEATH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 36K.

Throughout this section, the defined term "child" is substituted for the term "minor" that was defined by former Art. 27, § 36K(a)(3) to mean an individual under the age of 16 years, to avoid confusion with the term "minor" that is defined in § 1-101 of this article to mean an individual under the age of 18 years.

In subsection (a)(4) of this section, the reference to a "handgun" is substituted for the former references to a "pistol" and a "revolver" for consistency within this article.

Also in subsection (a)(4) of this section, the reference to a handgun, rifle, shotgun, short-barreled rifle, or short-barreled shotgun "as those terms are defined in § 4-201 of this title" is added for clarity.

In subsection (c) of this section, the former phrase "[e]xcept as provided in this section" is deleted in light of the express language in subsection (b) of this section providing exceptions to this section.

In subsection (e)(2) of this section, the reference to a "lawyer" is substituted for the former reference to "counsel" for consistency with usage in the Business Occupations and Professions Article.

Defined term: "Person" § 1-101