

"Manufacture" § 5-101

"Person" § 1-101

"Possess" § 5-101

5-622. FIREARM CRIMES.

(A) "FIREARM" DEFINED.

IN THIS SECTION, "FIREARM" INCLUDES:

(1) A HANDGUN, ANTIQUE FIREARM, RIFLE, SHOTGUN, SHORT-BARRELED SHOTGUN, AND SHORT-BARRELED RIFLE, AS THOSE WORDS ARE DEFINED IN § 4-201 OF THIS ARTICLE;

(2) A MACHINE GUN, AS DEFINED IN § 4-401 OF THIS ARTICLE; AND

(3) A REGULATED FIREARM, AS DEFINED IN ARTICLE 27, § 441 OF THE CODE.

(B) PROHIBITED.

A PERSON MAY NOT POSSESS, OWN, CARRY, OR TRANSPORT A FIREARM IF THAT PERSON HAS BEEN CONVICTED OF:

(1) A FELONY UNDER THIS TITLE;

(2) A CRIME UNDER THE LAWS OF ANOTHER STATE OR OF THE UNITED STATES THAT WOULD BE A FELONY UNDER THIS TITLE IF COMMITTED IN THIS STATE;

(3) CONSPIRACY TO COMMIT A CRIME REFERRED TO IN PARAGRAPHS (1) AND (2) OF THIS SUBSECTION; OR

(4) AN ATTEMPT TO COMMIT A CRIME REFERRED TO IN PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 291A.

In subsection (a)(1) of this section, the Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that the terms "short-barreled shotgun" and "short-barreled rifle", as defined in § 4-201 of this article, are included in the term "handgun" as defined in the same section. It is unclear whether the terms "short-barreled shotgun" and "short-barreled rifle" as used in this section are redundant of the term "handgun", or differ in some way from those terms used in the definition of "handgun".