

Resolution No.:	17-649
Introduced:	<u>January 15, 2013</u>
Adopted:	<u>January 22, 2013</u>

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: County Council

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**SUBJECT:** Support of State and Federal Legislation Regulating the Sale of Guns and Ammunition

**Background**

1. Montgomery County believes that protecting the safety of its residents is the foremost duty of every public official.
2. Mass murders perpetrated with guns like those at Columbine High School, Virginia Tech, Aurora, Colorado and Newtown, Connecticut have repeatedly shocked the conscience of the entire nation.
3. Gun violence poses a continuous threat to the safety of the residents of Montgomery County and the entire nation.
4. There are many legitimate, law-abiding reasons to own a firearm. However, assault weapons, armor piercing bullets, and large capacity magazines have the ability to kill and maim large numbers of human beings, but have limited usefulness for hunters and other law-abiding citizens.
5. Montgomery County lacks the authority to regulate the sale or possession of firearms or ammunition under state law. The federal ban on assault weapons expired in 2004 and Maryland's ban on assault weapons expired in 2006.
6. On January 2, 2013, Maryland's Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms sent its report to the Governor and the General Assembly. The Task Force made nine recommendations that include further research and study of the link of mental illness, substance abuse, and other risk factors to violence including suicide and violence against others by using a firearm; mandatory reporting by certain professionals of threats made by a person against self or others, prompt investigation of such threats, and notice to Maryland State Police; a process that includes due process in the courts to determine if someone making threats should be prohibited from possessing or having access to firearms; "Mental Health First Aid" and firearms law training for law enforcement and health care professionals; the establishment of Crisis Intervention Teams statewide; directing funding from firearms licensing and application fees to fund the Task Force's recommendations; and establishing a formal process for a person to petition to have the right to possess or purchase a firearm restored.

7. On January 4, 2013, John McCarthy, Montgomery County state's attorney and Glenn F. Ivey, former Prince George's County state's attorney, published a commentary in *The Washington Post* entitled "The Path Forward on Gun Violence," urging federal and state lawmakers to take specific actions to prevent gun violence in our community.

**Action**

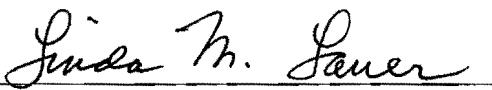
The County Council for Montgomery County, Maryland approves the following resolution:

The Council believes that regulating access to firearms and ammunition to ensure that only individuals who intend to use these weapons for law-abiding purposes are able to purchase them is essential to the safety of our children and families.

Therefore, the Council urges the Governor and the General Assembly to promptly review and implement the recommendations of the Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms. The Governor and the General Assembly should ensure that State funding is available to local jurisdictions to support implementation of the recommendations.

The Council urges Congress and the General Assembly to enact legislation without delay that would establish a protocol for requiring certain professionals, including mental health providers, to report to agencies granting gun permits any individual who has been involuntarily committed to a mental institution or has been found to be a danger to themselves or others due to mental illness; establish regulations to prevent the unauthorized disclosure or improper use of this mental health information; indemnify such professionals from civil damages for any good-faith report of a mental health diagnosis for the purpose of restricting gun ownership; ban armor-piercing bullets, all forms of assault weapons, and magazines with a capacity of greater than 10 rounds; remove the restrictions Congress has placed on the Bureau of Alcohol, Tobacco, Firearms and Explosives from sharing its gun database with local law enforcement; close the "gun show" loophole; and increase mandatory penalties for criminals convicted of carrying and using firearms in the commission of a violent crime.

This is a correct copy of Council action.

  
Linda M. Lauer, Clerk of the Council