

1 **IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY, MARYLAND**

2 **MARYLAND SHALL ISSUE, INC.**

3 9613 Harford Rd., Ste C #1015
4 Baltimore, MD 21234

5 **FIELD TRADERS LLC**

6 2400 Mountain Rd
7 Pasadena, MD 21122

8 **CINDY'S HOT SHOTS, INC.**

9 115 Holsum Way, Unit C
10 Glen Burnie MD 21060

Case No. C-02-CV-22-000217

11 **PASADENA ARMS, LLC**

12 2441A Mountain Rd
13 Pasadena, MD 21122

14 **WORTH-A-SHOT, INC.**

15 8424 Veterans Hwy #10-12
16 Millersville, MD 21108

17 *Plaintiffs,*

18 v.

19 **ANNE ARUNDEL COUNTY,**
20 **MARYLAND**

21 44 Calvert Street
22 Annapolis, MD 21401

23 *Defendant.*

24 **SERVE:**

25 **Gregory J. Swain, Esq.**

26 County Attorney
27 2660 Riva Road
28 Annapolis, MD 21401

AMENDED COMPLAINT FOR DECLARATORY AND EQUITABLE RELIEF

 COME NOW, the Plaintiffs, through counsel, and sue the Defendant, and for cause state
as follows:

1 **INTRODUCTION**

2 1. On January 10, 2022, the Defendant, Anne Arundel County, Maryland (“the County”)
3 signed into law Bill 109-21 (“the Bill”), a copy of which is attached to this complaint as Exhibit A
4 and incorporated hereby in its entirety by reference. Bill 109-21 becomes effective 45 days after it is
5 enacted into law, or on February 24, 2022, and its provisions apply to firearms dealers already in
6 existence within 180 days after the effective date of the Ordinance. Through the enactment of County
7 Bill 109-21, the County has unlawfully exceeded its powers and jurisdiction to regulate Maryland
8 licensed firearms dealers in a way that is in direct conflict with Article XI–A, § 3 of the Maryland
9 Constitution and in a manner that is inconsistent with multiple existing Maryland statutes. A
10 comprehensive system of State regulation over State Licensed Firearms dealers impliedly preempt
11 Anne Arundel County’s attempt to control the operation of these dealers. The hopelessly vague
12 provisions of Bill 109-21 violate the Due Process Clause of Article 24 of the Maryland Declaration
13 of Rights. Plaintiffs seek declaratory and injunctive relief on their State Constitutional and statutory
14 law claims.
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18 **JURISDICTION AND VENUE**

19 2. This Court has jurisdiction over this matter pursuant to MD Code, Courts and Judicial
20 Proceedings, § 1-501, and MD Code, Courts and Judicial Proceedings, § 3-403, as this complaint
21 seeks prospective declaratory and injunctive relief. This declaratory judgment action is brought
22 pursuant to MD Code, Courts and Judicial Proceedings § 3-405, MD Code, Courts and Judicial
23 Proceedings § 3-406, and MD Code, Courts and Judicial Proceedings, § 3-409, for the purpose of
24 determining questions of actual controversy between the parties and terminating uncertainty and
25 controversy giving rise to this proceeding. An actual controversy exists between plaintiffs and the
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1 defendant and plaintiffs assert rights to be free of County regulation as enacted by Bill 109-21 and
2 that claim is denied by the defendant.

3 3. Venue is properly in this Court in this matter pursuant to MD Code, Courts and
4 Judicial Proceedings, § 6-201, as the defendant resides, carries on a regular business and maintains
5 its principal offices in Anne Arundel County, Maryland, and is a necessary party to this action under
6 MD Code, Courts and Judicial Proceedings, § 3-405(b). Plaintiffs request a speedy hearing of this
7 action in accordance with MD Code, Courts and Judicial Proceedings, § 3-409(e).
8

9 **ANNE ARUNDEL COUNTY BILL 109-21**

10 4. In relevant part, Bill 109-21 amends the Anne Arundel County Code (“County
11 Code”), to impose new regulations on Maryland licensed firearms dealers (“dealers”) and gun show
12 promoters (“promoters”) in Anne Arundel County. Bill 109-21 provides that these covered dealers
13 may not operate their businesses without complying with the onerous and extremely expensive
14 requirements newly enacted and imposed by Bill 109-21. A violation of these newly imposed
15 regulatory provisions is deemed to be a civil offense punishable as a Class C civil offense which is
16 punishable with a \$500 fine for the first violation and \$1,000 for the second or any subsequent
17 violation under Section 9-2-101 of the Anne Arundel County Code.
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19 5. Bill 109-21 sets forth a number of definitions for purposes of the bill. Specifically,
20 Section 12-6-101, as enacted by Bill 109-21, provides:
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22 IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.
24

25 (1) “DEALER” MEANS A PERSON IN THE BUSINESS OF SELLING, RENTING, OR
26 TRANSFERRING FIREARMS AT WHOLESALE OR RETAIL.
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1 (2) "FIREARM" HAS THE MEANING STATED IN § 5-101 OF THE PUBLIC SAFETY
2 ARTICLE OF THE STATE CODE.

3 (3) "PLACE OF PUBLIC ASSEMBLY" MEANS A LOCATION USED FOR A
4 GATHERING OF 50 OR MORE PERSONS FOR DELIBERATION, WORSHIP,
5 ENTERTAINMENT, EATING, DRINKING, AMUSEMENT, SHOPPING, AWAITING
6 TRANSPORTATION, OR SIMILAR USES.
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8 Bill 109-21 does not purport to define "LOCATION" or define "DELIBERATION, WORSHIP,
9 ENTERTAINMENT, EATING, DRINKING, AMUSEMENT, SHOPPING, AWAITING
10 TRANSPORTATION, OR SIMILAR USES."
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12 6. Bill 109-21 provides, in Section 12-6-102 as enacted as by Bill 109-21:

13 THIS TITLE APPLIES TO DEALERS WITHIN 100 YARDS OF OR IN A PARK, HOUSE
14 OF WORSHIP, SCHOOL, PUBLIC BUILDING, OR OTHER PLACE OF PUBLIC
15 ASSEMBLY.

16 7. Section 12-6-103, as enacted by Bill 109-21 provides:

17 A DEALER MAY NOT CONDUCT BUSINESS WITHOUT POLICE DEPARTMENT
18 APPROVAL OF THE SECURITY MEASURES REQUIRED BY § 12-6-106. THE
19 DEALER SHALL OBTAIN APPROVAL BEFORE THE OPENING OF BUSINESS AND
20 BY JUNE 1 OF EACH YEAR THEREAFTER.
21

22 8. Section 12-6-106, as enacted by Bill 109-21, sets forth security measures with which
23 dealers are required to comply by Section 12-6-103, as enacted by Bill 109-21. Section 12-6-106
24 provides:
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1 A) **Alarms.** THE BUSINESS PREMISES OF A DEALER SHALL BE MONITORED AT
2 ALL TIMES BY A BURGLAR AND SECURITY ALARM SYSTEM THAT INCLUDES
3 VIDEO SURVEILLANCE AND THAT COMPLIES WITH TITLE 5 OF THIS ARTICLE.

4 (B) **Additional security measures.** THE BUSINESS PREMISES OF A DEALER SHALL
5 BE SECURED BY THE FOLLOWING PHYSICAL SECURITY MEASURES:
6

7 (1) EXTERIOR BOLLARDS, CONCRETE BARRIERS, STEEL BARRICADES,
8 PLANTERS, LANDSCAPE BOULDERS, OR OTHER PHYSICAL BARRIERS THAT
9 PREVENT VEHICULAR OR OTHER INTRUSION INTO THE BUILDING; AND
10

11 (2) INTERIOR OR EXTERIOR SECURITY GATES, SCREENS, SHUTTERS, BARS, OR
12 GRILLES OVER WINDOWS AND DOORS, OR A SECURE VESTIBULE FOR DOORS.

13 (C) **Securing firearms when the business is closed.** WHEN THE BUSINESS IS CLOSED
14 TO THE PUBLIC, ALL FIREARMS SHALL BE SECURED IN A:

15 (1) RACK EQUIPPED WITH A LOCKING DEVICE, SUCH AS A METAL BAR OR A
16 STEEL CABLE;

17 (2) HEAVY GAUGE METAL CABINET EQUIPPED WITH AN ADEQUATE LOCKING
18 DEVICE;

19 (3) HEAVY GAUGE MESH WIRE CAGE EQUIPPED WITH AN ADEQUATE
20 LOCKING DEVICE ON THE DOORS;

21 (4) SAFE OR VAULT; OR
22

23 (5) GLASS DISPLAY CASE, PROVIDED THE FIREARMS ARE SECURED WITH A
24 STEEL CABLE OR OTHER ADEQUATE LOCKING DEVICE THAT IS ANCHORED
25 IN A MANNER THAT PREVENTS THE REMOVAL OF THE FIREARMS FROM THE
26 PREMISES.
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1 9. Section 12-6-107, as enacted by Bill 109-21, provides:

2 **(A) Possession of an inventory list.** DEALERS WHO TRANSPORT FIREARMS FOR
3 SALE SHALL HAVE IN THEIR POSSESSION AT ALL TIMES AN INVENTORY LIST
4 FOR EACH FIREARM BEING TRANSPORTED. THE LIST SHALL INCLUDE, AT A
5 MINIMUM, THE MANUFACTURER, MODEL, AND SERIAL NUMBER OF THE
6 FIREARMS.
7

8 **(B) Location of the inventory list.** A COPY OF THE INVENTORY LIST SHALL AT ALL
9 TIMES:

10 (1) ACCOMPANY THE FIREARMS;

11 (2) BE AVAILABLE AT THE DEALER'S BUSINESS PREMISES; AND

12 (3) BE PROVIDED TO LAW ENFORCEMENT UPON REQUEST.
13

14 10. **Enforcement:** Section 12-6-301, as enacted by Bill 109-21, provides:

15 **(A) Posting police officers or security guards at the site.** IF THE POLICE DEPARTMENT
16 DETERMINES THAT A VIOLATION OF THIS TITLE MAY BRING THE SECURITY
17 OF FIREARMS INTO QUESTION, THE DEPARTMENT MAY POST ONE OR MORE
18 OFFICERS OR SECURITY GUARDS AT THE LOCATION AT THE EXPENSE OF THE
19 DEALER UNTIL:
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21 (1) THE VIOLATION HAS BEEN ABATED TO THE SATISFACTION OF THE POLICE
22 DEPARTMENT; OR

23 (2) THE INVENTORY HAS BEEN REMOVED TO A SECURE LOCATION AND THE
24 POLICE DEPARTMENT HAS VERIFIED THE MOVE.
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1 **(B) Court proceedings.** THE POLICE DEPARTMENT MAY ENFORCE THE
2 PROVISIONS OF THIS TITLE THROUGH INJUNCTIVE PROCEEDINGS, AN ACTION
3 FOR SPECIFIC PERFORMANCE, OR ANY OTHER APPROPRIATE PROCEEDINGS.

4 **(C) Civil offense.** IT IS A CLASS C CIVIL OFFENSE TO VIOLATE THE PROVISIONS
5 OF THIS TITLE.
6

7 **(D) Remedies cumulative.** THE REMEDIES AVAILABLE UNDER THIS SECTION ARE
8 CUMULATIVE AND NOT EXCLUSIVE.

9 11. Under Section 9-2-101(f)(3) of the Anne Arundel County Code, a Class C Civil
10 offense is punishable by a civil fine of “\$500 for the first violation and \$1,000 for the second or any
11 subsequent violation.” Under Section 9-2-101(h) of the Anne Arundel County Code, “[e]ach day that
12 a violation continues constitutes a separate civil offense” and “[a]ll civil fines for continuing violations
13 shall accrue without a requirement for an additional assessment, notice, or opportunity for hearing for
14 each separate offense.”
15

16 12. Bill 109-21 further provides that:

17 SECTION 3. And be it further enacted, That a firearms dealer in existence on or before the
18 effective date of this Ordinance who would otherwise be subject to the requirements of this
19 title shall comply with the requirements within 180 days after the effective date of this
20 Ordinance.
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22 SECTION 4. And be it further enacted, That this Ordinance shall take effect 45 days 22 from
23 the date it becomes law.
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25 Each of the plaintiff dealers in this case was in existence on or before the effective date of Bill 109-

26 21.
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1 **STATE REGULATION OF FIREARMS DEALERS**

2 12. The regulation of firearms dealers is a matter of significant state-wide and national
3 interest. In the 2020 General Assembly Session, the General Assembly held Committee hearings and
4 considered Senate Bill 816 and House Bill 1257, both of which would have imposed extensive
5 security measures on firearms dealers, including many of which are also imposed by Bill 109-21. For
6 example, SB 816 and HB 1257 would have mandated that the dealer “SHALL LOCK ALL
7 FIREARMS IN: (I) A VAULT; (II) A SAFE; OR (III) A REINFORCED DISPLAY CASE WITH
8 SHATTERPROOF GLASS” after business hours. Similar requirements are imposed by Bill 109-21.
9 SB 816 and HB 1257 would have similarly required the dealer to “DEVELOP AND KEEP A
10 WRITTEN STANDARD OPERATING PROCEDURE TO PROTECT INVENTORY FROM
11 THEFT OR UNAUTHORIZED ACCESS AT EACH PLACE OF BUSINESS OWNED OR
12 OPERATED BY THE LICENSED DEALER, WHICH SHALL INCLUDE: I) LOCKS; (II)
13 EXTERIOR LIGHTING; (III) SURVEILLANCE CAMERAS; AND (IV) AN ALARM SYSTEM”
14 during business hours. SB 816 and HB 1257 were not enacted into law. Neither bill received a
15 favorable Committee report from either the House of Delegates or the Senate. MSI testified
16 extensively in opposition to this proposed legislation before the General Assembly.
17

18 13. Firearms dealers in Maryland are comprehensively regulated by Federal and State
19 law. See 18 U.S.C. § 923 (establishing a comprehensive regulatory and licensing system for federal
20 firearms licensees); MD Code, Public Safety, § 5-106 (requiring a dealer’s license issued by the State
21 Police before a person may engage “in the business of selling, renting, or transferring regulated
22 firearms”); MD Code, Public Safety, § 5-107 (specifying the contents of an application for a dealer’s
23 license); MD Code, Public Safety, § 5-108 (requiring a background check for a dealer’s license); MD
24 Code, Public Safety, § 5-109 (requiring an investigation to determine the truth or falsity of the
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1 information supplied and the statements made in an application for a dealer's license); MD Code,
2 Public Safety, § 5-111 (establishing the terms of a dealer's license). Dealers were further extensively
3 regulated in 2013 with the enactment of the Firearms Safety Act of 2013, 2013 Maryland Laws ch.
4 427 (amending MD Code, Public Safety, §§ 5-110, 5-114, 5-115, 5-146). Dealers are also subject to
5 extensive regulation by the Maryland State Police, including regulations controlling what firearms
6 dealers may sell and where dealers may conduct business. See COMAR, §§ 29.03.01.42-.57. None
7 of these regulations or laws impose requirements on dealers in a manner akin to those imposed by
8 Bill 109-21.

11 **MARYLAND CONSTITUTIONAL AND STATUTORY PREEMPTION PROVISIONS**

12 14. Maryland law contains several preemption statutes that broadly preempt local
13 jurisdictions from regulating firearms:

14 a. MD Code, Public Safety, § 5-104, provides that “[t]his subtitle supersedes any
15 restriction that a local jurisdiction in the State imposes on a sale of a regulated firearm, and the State
16 preempts the right of any local jurisdiction to regulate the sale of a regulated firearm.”

17 b. MD Code, Public Safety, § 5-133(a) provides that “[t]his section supersedes any
18 restriction that a local jurisdiction in the State imposes on the possession by a private party of a
19 regulated firearm, and the State preempts the right of any local jurisdiction to regulate the possession
20 of a regulated firearm.”

21 c. MD Code, Public Safety, § 5-134(a), provides that “[t]his section supersedes any
22 restriction that a local jurisdiction in the State imposes on the transfer by a private party of a regulated
23 firearm, and the State preempts the right of any local jurisdiction to regulate the transfer of a regulated
24 firearm, and the State preempts the right of any local jurisdiction to regulate the transfer of a regulated
25 firearm.”

1 d. MD Code, Public Safety, § 5-207(a), enacted into law in 2021 as part of House Bill
2 4, provides that “[t]his section supersedes any restriction that a local jurisdiction in the State imposes
3 on the transfer by a private party of a rifle or shotgun, and the State preempts the right of any local
4 jurisdiction to regulate the transfer of a rifle or shotgun.”

5
6 e. MD Code, Criminal Law, § 4-209, enacted in 1985, provides:

7 (a) Except as otherwise provided in this section, the State preempts the right of a county,
8 municipal corporation, or special taxing district to regulate the purchase, sale, taxation,
9 transfer, manufacture, repair, ownership, possession, and transportation of:

- 10 (1) a handgun, rifle, or shotgun; and
11 (2) ammunition for and components of a handgun, rifle, or shotgun.

12 Exceptions

13 (b)(1) A county, municipal corporation, or special taxing district may regulate the purchase,
14 sale, transfer, ownership, possession, and transportation of the items listed in subsection (a)
15 of this section:

- 16 (i) with respect to minors;
17 (ii) with respect to law enforcement officials of the subdivision; and
18 (iii) except as provided in paragraph (2) of this subsection, within 100 yards of or in a park,
19 church, school, public building, and other place of public assembly.

20 (2) A county, municipal corporation, or special taxing district may not prohibit the teaching
21 of or training in firearms safety, or other educational or sporting use of the items listed in
22 subsection (a) of this section.

23 f. Section 6 of Chapter 13, of the 1972 Sessions Laws of Maryland provides: “That all
24 restrictions imposed by the law, ordinances, or regulations of the political subdivisions on the wearing,
25 carrying, or transporting of handguns are superseded by this Act, and the State of Maryland hereby
26 preempts the right of the political subdivisions to regulate said matters.” <https://bit.ly/2SvsRkJ>. This
27 provision has been held to preclude a county from regulating the sale of ammunition in the county.
28 See *Montgomery County v. Atlantic Guns, Inc.*, 302 Md. 540, 489 A.2d 1114 (1985).

1 15. For purposes of these preemption provisions, a “regulated firearm” includes any
2 handgun. MD Code, Public Safety, § 5-101(r)(1). For purposes of these preemption provisions, the
3 terms “handgun,” “rifle,” and “shotgun” are defined in MD Code, Criminal Law, § 4-201.
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5 **LIMITATIONS ON THE POWER OF LOCALITIES TO ENACT LAWS**

6 16. Anne Arundel County, Maryland is a chartered home rule county within the meaning
7 of Article XI-A of the Maryland Constitution. Under Article XI-A, § 3, the County is empowered to
8 enact only “local laws.” Section 4 of Article XI-A of the Maryland Constitution states that “[a]ny law
9 so drawn as to apply to two or more of the geographical subdivisions of this State shall not be deemed
10 a Local Law, within the meaning of this Act.” Article XI-E, § 6, of the Maryland Constitution
11 provides that “[a]ll charter provisions, or amendments thereto, adopted under the provisions of this
12 Article, shall be subject to all applicable laws enacted by the General Assembly.” Article XI-E § 6
13 further provides that “[a]ny local law, or amendments thereto, relating to the incorporation,
14 organization, government, or affairs of any municipal corporation and in effect at the time this Article
15 becomes effective, shall be subject to any applicable State law enacted after this Article becomes
16 effective.” Under these provisions, Anne Arundel County is not empowered to enact “general laws.”
17 Under Maryland law, a general law “deals with the general public welfare, a subject which is of
18 significant interest not just to any one county, but rather to more than one geographical subdivision,
19 or even to the entire state.” *Steimel v. Board*, 278 Md. 1, 5, 357 A.2d 386, 388 (1976). Thus, “some
20 statutes, local in form, have been held to be general laws, since they affect the interest of the whole
21 state.” *Cole v. Secretary of State*, 249 Md. 425, 434, 240 A.2d 272, 278 (1968). Similarly, “[a] law
22 may be local in the sense that it operates only within a limited area, but general in so far as it affects
23 the rights of persons without the area to carry on a business or to do the work incident to a trade,
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1 profession, or other calling within the area.” *Dasch v. Jackson*, 170 Md. 251, 261, 183 A. 534, 538
2 (1936).

3 17. Under the Maryland Express Powers Act, MD Code, Local Government, § 10-202(a),
4 a “[a] county may enact local laws and may repeal or amend any local law enacted by the General
5 Assembly on any matter covered by the express powers in this title.” However, MD Code, Local
6 Government, §10-206(a), provides that a county may pass an ordinance, resolution, or bylaw only if
7 such laws are “not inconsistent with State law.” Similarly, MD Code, Local Government, §10-206(b),
8 provides that “[a] county may exercise the powers provided under this title only to the extent that the
9 powers are not preempted by or in conflict with public general law.” Under binding precedent, a local
10 law is inconsistent with State law when the local law prohibits an activity which is permitted by State
11 law, or permits an activity prohibited by state law. See *City of Baltimore v. Sitnick*, 254 Md. 303, 317,
12 255 A.2d 376, 382 (1969) (“a political subdivision may not prohibit what the State by general public
13 law has permitted”).

14 **PARTIES**

15 **Plaintiffs:**

16 18. Plaintiff Maryland Shall Issue, Inc. (“MSI”) is a Maryland corporation, located at
17 9613 Harford Rd., Ste C #1015, Baltimore, MD 21234. MSI is an Internal Revenue Service certified
18 Section 501(c)(4), non-profit membership organization with approximately 2000 members statewide.
19 MSI is an all-volunteer, non-partisan organization dedicated to the preservation and advancement of
20 gun owners’ rights in Maryland. It seeks to educate the community about the right of self-protection,
21 the safe handling of firearms, and the responsibility that goes with carrying a firearm in public. The
22 purposes of MSI include promoting the exercise of the right to purchase, keep and bear arms; and
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1 education, research, and legal action focusing on the constitutional right to acquire, own, possess and
2 carry firearms.

3 19. Bill 109-21 burdens the ability of MSI to carry out its mission of promoting the
4 acquisition of firearms for lawful purposes, as guaranteed by the Second Amendment of the United
5 States Constitution, as the heavy costs and the penalties and conditions on dealers' operations inflicted
6 by the Bill will likely drive dealers either out of business or require the dealers to increase the prices
7 they must charge in order to attempt to recoup the costs imposed by the Bill, all of which interferes
8 with the ability of MSI to promote the acquisition of firearms in Anne Arundel County by law-abiding
9 citizens. Without a robust network of firearms dealers it will be legally difficult if not practicably
10 impossible for the average, law-abiding citizen to acquire firearms in Anne Arundel County. Existing
11 Federal and State law extensively regulate the sale and acquisition of firearms. The ability to acquire
12 a firearm, especially a handgun, is heavily dependent on the existence of licensed firearms dealers.
13

14 20. MSI has organizational standing to sue on its own behalf, as it is aggrieved by the
15 enactment of Bill 109-21 because its organizational interest in protecting and promoting the
16 acquisition of firearms by law-abiding citizens in Anne Arundel County is specifically and adversely
17 affected by the enactment of Bill 109-21 in ways that are different in character and kind from that
18 suffered by the general public. Under *District of Columbia v. Heller*, 554 U.S. 570 (2008), and
19 *McDonald v. Chicago*, 561 U.S. 742, 750 (2010), the Second Amendment to the Constitution protects
20 the right of a law-abiding citizen to acquire firearms, including handguns. *Ezell v. City of Chicago*,
21 651 F.3d 684, 704 (7th Cir. 2011). Firearm dealers have an ancillary Second Amendment right to sell
22 firearms to law-abiding citizens. See, e.g., *Texeira v. County of Alameda*, 873 F.3d 670, 676-77 (9th
23 Cir. 2017) (*en banc*), *cert. denied*, 138 S.Ct. 1988 (2018). Regulation of dealer operations is thus
24 imbued with constitutional concerns. In order to protect these rights, MSI has instituted litigation
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1 challenging provisions of Maryland law that make it more difficult to acquire firearms and has, for
2 years, testified before the General Assembly and in public on matters affecting these rights. MSI is
3 injured, as an organization, by any legislation, including Bill 109-21, which makes such acquisition
4 of firearms more difficult or expensive. This injury is separate and distinct from the interest of MSI's
5 members. *Medical Waste Associates, Inc. v. Maryland Waste Coalition*, 327 Md. 596, 612 A.2d 241
6 (1992); *Teachers Union v. State Board of Education*, 379 Md. 192, 840 A.2d 728, 732 (2004). See
7 also *Fraternal Order of Police v. Montgomery Cty.*, 446 Md. 490, 506-07, 132 A.3d 311 (2016)
8 (holding that a police union had standing to challenge the County's use of public funds to defeat a
9 referendum concerning statute on collective bargaining because statute affected the scope of
10 bargaining by the union on behalf of its members).

13 21. Plaintiff FIELD TRADERS LLC ("Field Traders") is a Maryland corporation located
14 within Anne Arundel County, Maryland, at 2400 Mountain Rd, Pasadena, MD 21122. Pursuant to 18
15 U.S.C. § 923, FIELD TRADERS is Federally licensed firearms dealer at its current location. See 27
16 C.F.R. § 478.41 *et seq.* Pursuant to MD Code, Public Safety, § 5-106, FIELD TRADERS is also a
17 Maryland State licensed firearms dealer and is thus authorized by State law to engage "in the business
18 of selling, renting or transferring regulated firearms." As part of its business, FIELD TRADERS
19 regularly sells firearms, including regulated firearms as well as ammunition for firearms. The business
20 location of FIELD TRADERS is arguably within 100 yards of a "place of public assembly" as defined
21 by Bill 109-21. FIELD TRADERS is adversely affected by Bill 109-21 as it would impose substantial
22 costs on doing business at its location in Anne Arundel County and thereby threaten its ability to stay
23 in business or to stay competitive with dealers located outside Anne Arundel County with whom
24 FIELD TRADERS competes in the sale of firearms and ammunition. Plaintiff FIELD TRADERS is
25 a member of MSI.
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1 22. CINDY’S HOT SHOTS, INC., (“CINDY’S HOT SHOTS”) is a Maryland
2 corporation located within Anne Arundel County, Maryland, at 115 Holsum Way, Unit C, Glen
3 Burnie MD 21060. Pursuant to 18 U.S.C. § 923, CINDY’S HOT SHOTS is a Federally licensed
4 firearms dealer at its current location. See 27 C.F.R. § 478.41 et seq. Pursuant to MD Code, Public
5 Safety, § 5-106, CINDY’S HOT SHOTS is also a Maryland State licensed firearms dealer and is thus
6 authorized by State law to engage “in the business of selling, renting or transferring regulated
7 firearms.” As part of its business, CINDY’S HOT SHOTS regularly sells firearms, including
8 regulated firearms as well as ammunition for firearms. The business location of CINDY’S HOT
9 SHOTS is arguably within 100 yards of a “place of public assembly” as defined by Bill 109-21.
10 CINDY’S HOT SHOTS is adversely affected by Bill 109-21 as it would impose substantial costs on
11 doing business at its location in Anne Arundel County and thereby threaten its ability to stay in
12 business or stay competitive with dealers located outside Anne Arundel County with whom CINDY’S
13 HOT SHOTS competes in the sale of firearms and ammunition. Plaintiff CINDY’S HOT SHOTS is
14 a member of MSI.

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17 23. PASADENA ARMS, LLC, (“PASADENA ARMS”) is a Maryland Corporation
18 located within Anne Arundel County, Maryland, at 2441A Mountain Rd., Pasadena, MD 21122.
19 Pursuant to 18 U.S.C. § 923, PASADENA ARMS is a Federally licensed dealer at its current location.
20 See 27 C.F.R. § 478.41 et seq. Pursuant to MD Code, Public Safety, § 5-106, PASADENA ARMS is
21 also a Maryland State licensed firearms dealer and is thus authorized by State law to engage “in the
22 business of selling, renting or transferring regulated firearms.” As part of its business, PASADENA
23 ARMS regularly sells firearms, including regulated firearms as well as ammunition for firearms. The
24 business location of PASADENA ARMS is arguably within 100 yards of a “place of public assembly”
25 as defined by Bill 109-21. PASADENA ARMS is adversely affected by Bill 109-21 as it would
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1 impose substantial costs on doing business at its location in Anne Arundel County and thereby
2 threaten its ability to stay in business or stay competitive with dealers located outside Anne Arundel
3 County with whom PASADENA ARMS competes in the sale of firearms and ammunition. Plaintiff
4 PASADENA ARMS is a member of MSI.
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6 24. WORTH-A-SHOT, INC. (“Worth-A-Shot”) is a Maryland Corporation located at
7 8424 Veterans Hwy #10-12, Millersville, MD 21108. Pursuant to 18 U.S.C. § 923, WORTH-A-
8 SHOT is a Federally licensed dealer at its current location. See 27 C.F.R. § 478.41 et seq. Pursuant to
9 MD Code, Public Safety, § 5-106, WORTH-A-SHOT is also a Maryland State licensed firearms
10 dealer and is thus authorized by State law to engage “in the business of selling, renting or transferring
11 regulated firearms.” As part of its business, WORTH-A-SHOT regularly sells firearms, including
12 regulated firearms as well as ammunition for firearms. The business location of WORTH-A-SHOT
13 is arguably within 100 yards of a “place of public assembly” as defined by Bill 109-21. WORTH-A-
14 SHOT is adversely affected by Bill 109-21 as it would impose substantial costs on doing business at
15 its location in Anne Arundel County and thereby threaten its ability to stay in business or stay
16 competitive with dealers located outside Anne Arundel County with whom WORTH-A-SHOT
17 competes in the sale of firearms and ammunition. Plaintiff WORTH-A-SHOT is a member of MSI.
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19 25. The court is “required” to issue a declaratory judgment on each count of the complaint
20 that seeks a declaratory judgment under MD Code, Courts and Judicial Proceedings, § 3-409(a), if “at
21 least one plaintiff has standing to maintain the action.” *Voters Organized for the Integrity of City*
22 *Elections v. Baltimore City Elections Bd.*, 451 Md. 377, 398, 152 A.3d 827 (2017). See also *Post v.*
23 *Bregman*, 349 Md. 142, 159-60, 707 A.2d 806 (1998) (“when an action for declaratory judgment does
24 clearly lie, as it did in this case, it is ordinarily not permissible for a court to avoid declaring the rights
25 of the parties by entering judgment on another pending count” and “[t]he existence of another remedy,
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1 at law or in equity, does not ordinarily defeat a party’s right to seek and obtain a declaratory
2 judgment”); *Christ by Christ v. Md. Dept. of Nat. Res.*, 335 Md. 427, 435, 644 A.2d 34 (1994)
3 (“Where a controversy is appropriate for resolution by declaratory judgment, however, the trial court
4 must render a declaratory judgment.”); *Lovell Land, Inc. v. State Highway Admin*, 408 Md. 242, 256,
5 969 A.2d 284 (2009) (same).

7 **Defendant:**

8 26. The Defendant is Anne Arundel County, Maryland. Anne Arundel County is a
9 chartered home rule county within the meaning of Article XI-A of the Maryland Constitution and
10 may be named and sued *eo nomine* under Maryland law for declaratory and injunctive relief.

12 **COUNT I – VIOLATION OF THE MARYLAND CONSTITUTION**

13 27. The Plaintiffs reallege and incorporate herein by reference all the foregoing
14 allegations of this complaint.

15 28. Bill 109-21 regulates “matters of significant interest to the entire state.” *Cole v.*
16 *Secretary of State*, 249 Md. 425, 434, 240 A.2d 272, 278 (1968). In the 2020 Session, the General
17 Assembly considered and declined to enact two bills that would have addressed security provisions
18 at the locations of Maryland licensed firearms dealers similar to those imposed by Bill 109-21. In the
19 Senate, the bill was Senate Bill 816. In the House of Delegates, the bill was House Bill 1257. These
20 bills were strongly opposed by MSI as well as by dealers across Maryland. In the current legislative
21 Session (2022), the Maryland General Assembly is considering Senate Bill 773. That bill would
22 require Maryland licensed firearms dealers to have a “vault that is secured to the floor and that can
23 hold all of the regulated firearms to be offered for sale,” but would not impose any other security
24 requirements on such dealers, such as those imposed by Bill 109-21. This legislative activity is strong
25 evidence that the matter is of general interest to the State at large, thereby demonstrating that Bill 109-
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1 21 is not a local law within the meaning of Article XI–A, § 3 of the Maryland Constitution and is thus
2 *ultra vires*. See *Allied Vending, Inc. v. City of Bowie*, 332 Md. 279, 631 A.2d 77 (1993).

3 29. Allowing county governments to expand their regulatory powers in the manner
4 demonstrated by Bill 109-21 will likely lead to the creation of a nightmarish hodgepodge of local
5 laws that vary from county to county, each of which could impose varying penalties and requirements.
6 The regulation of firearms dealers “deals with the general public welfare, a subject which is of
7 significant interest not just to any one county, but rather to more than one geographical subdivision,
8 or even to the entire state.” *Steimel v. Board*, 278 Md. 1, 5, 357 A.2d 386 (1976). Bill 109-21 directly
9 and adversely affects the rights of non-residents of Anne Arundel County to purchase firearms or
10 ammunition at Anne Arundel County dealers and thus “to carry on a business or to do the work
11 incident to a trade, profession, or other calling within the area.” *Dasch v. Jackson*, 170 Md. 251, 261,
12 183 A. 534, 538 (1936). Bill 109-21 is not a local law within the meaning of Article XI–A, § 3, and
13 Article XI-E, § 6, of the Maryland Constitution and is thus *ultra vires*. The plaintiffs are aggrieved by
14 this unlawful exercise of power by Anne Arundel County, as Bill 109-21 imposes thousands of dollars
15 of additional costs on the dealer plaintiffs and threatens their ability to do business in Anne Arundel
16 County.
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20 **COUNT II – VIOLATION OF THE EXPRESS POWERS ACT**

21 30. Plaintiffs reallege and incorporate herein by reference all the foregoing allegations of
22 this complaint.
23

24 31. Under the Express Powers Act, MD Code, Local Government, §10-206, Anne
25 Arundel County laws must be “not inconsistent with State law” and the County is barred from
26 enacting laws that are “preempted by or in conflict with public general law.” In regulating licensed
27 firearms dealers and, in particular, in barring the operation of such dealers whom the County may find
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1 to be in non-compliance with the requirements imposed by Bill 109-21, the Bill “prohibits an activity
2 which is permitted by State law” and thus has imposed requirements contrary to State law in violation
3 of the Express Powers Act. *City of Baltimore v. Sitnick*, 254 Md. 303, 317, 255 A.2d 376, 382 (1969).

4
5 32. Bill 109-21 violates the foregoing provisions of the Express Powers Act in a multiple
6 of additional ways:

7 a. MD Code, Criminal Law, § 4-209(a) preempts the County regulation of the “purchase, sale,
8 taxation, transfer, manufacture, repair, ownership, possession, and transportation” of all firearms, but
9 allows the County, in subsection 4-209(b) to regulate such matters “within 100 yards of or in a park,
10 church, school, public building, and other place of public assembly.” “The exceptions [in Section 4-
11 209(b)] to otherwise blanket preemption [in Section 4-209(a)] are narrow and strictly construable.”
12 *Mora v. City of Gaithersburg*, 462 F.Supp.2d 675, 689 (2006), *modified on other grounds*, 519 F.3d
13 216 (4th Cir. 2008). By redefining a “place of public assembly” to include a “LOCATION USED
14 FOR A GATHERING OF 50 OR MORE PERSONS FOR DELIBERATION, WORSHIP,
15 ENTERTAINMENT, EATING, DRINKING, AMUSEMENT, SHOPPING, AWAITING
16 TRANSPORTATION, OR SIMILAR USES,” the County has illegally expanded the scope of its
17 authority beyond the bounds permitted by the language of Section 4-209(b). Nothing in Section 4-
18 209 permits a county to redefine “place of public assembly” so as to extend the reach of its regulatory
19 authority otherwise accorded by the language of Section 4-209(b). To the extent Bill 109-21 purports
20 to apply to these illegally expanded areas, it is expressly preempted by the preemption provisions of
21 Section 4-209(a).
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25 b. In imposing the conditions on a dealer’s operation set out in Sections 12-6-103, 12-6-104,
26 12-6-105, 12-6-106, 12-6-107, and Section 12-6-301, as enacted by Bill 109-21, the Bill expressly
27 regulates the right of plaintiffs to sell a “regulated firearm” at plaintiffs’ dealership locations. By thus
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1 regulating a dealer’s business, Bill 109-21 is preempted by MD Code, Public Safety, § 5-104, which
2 provides that “[t]his subtitle supersedes any restriction that a local jurisdiction in the State imposes on
3 a sale of a regulated firearm, and the State preempts the right of any local jurisdiction to regulate the
4 sale of a regulated firearm.”

5
6 *c.* In imposing the conditions on a dealer’s operation set out in Sections 12-6-103, 12-6-104,
7 12-6-105, 12-6-106, 12-6-107, and Section 12-6-301, as enacted by Bill 109-21, the Bill expressly
8 regulates the right of plaintiffs to possess a “regulated firearm” at plaintiffs’ dealership locations. By
9 thus regulating a dealer’s business, Bill 109-21 is separately preempted by MD Code, Public Safety,
10 § 5-133(a), which provides that “[t]his section supersedes any restriction that a local jurisdiction in
11 the State imposes on the possession by a private party of a regulated firearm, and the State preempts
12 the right of any local jurisdiction to regulate the possession of a regulated firearm.”

13
14 *d.* In imposing the conditions on a dealer’s operation set out in Sections 12-6-103, 12-6-104,
15 12-6-105, 12-6-106, 12-6-107, and Section 12-6-301, as enacted by Bill 109-21, the Bill expressly
16 regulates the right of plaintiffs to transfer a “regulated firearm” at plaintiffs’ dealership locations. By
17 thus regulating a dealer’s business, Bill 109-21 is separately preempted by MD Code, Public Safety,
18 § 5-134(a), which provides that “[t]his section supersedes any restriction that a local jurisdiction in
19 the State imposes on the transfer by a private party of a regulated firearm, and the State preempts the
20 right of any local jurisdiction to regulate the transfer of a regulated firearm.”

21
22 *e.* In imposing the conditions on a dealer’s operation set out in Sections 12-6-103, 12-6-104,
23 12-6-105, 12-6-106, 12-6-107, and Section 12-6-301, as enacted by Bill 109-21, the Bill expressly
24 regulates the right of plaintiffs to transfer a “rifle or shotgun” at plaintiffs’ dealership locations. By
25 thus regulating a dealer’s business, Bill 109-21 is separately preempted by MD Code, Public Safety,
26 § 5-207(a), which provides that “[t]his section supersedes any restriction that a local jurisdiction in
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1 the State imposes on the transfer by a private party of a rifle or shotgun, and the State preempts the
2 right of any local jurisdiction to regulate the transfer of a rifle or shotgun.”

3 *f.* In imposing the conditions on a dealer’s operation set out in Sections 12-6-103, 12-6-104,
4 12-6-105, 12-6-106, 12-6-107, and Section 12-6-301, as enacted by Bill 109-21, the Bill expressly
5 regulates the right of plaintiffs to sell a handgun and ammunition at plaintiffs’ dealership locations.
6 By thus regulating a dealer’s business, Bill 109-21 is separately preempted by § 6 of Ch. 13, of Session
7 Laws of 1972 of Maryland, which provides:

8 SEC. 6. Be it further enacted, That all restrictions imposed by the law, ordinances, or
9 regulations of the political subdivisions on the wearing, carrying, or transporting of
10 handguns are superseded by this Act, and the State of Maryland hereby preempts the
11 right of the political subdivisions to regulate said matters.

12 This preemption provision also applies to ammunition sales at dealerships. See *Montgomery County*
13 *v. Atlantic Guns, Inc.*, 302 Md. 540, 543-44, 489 A.2d 1114, 1115-16 (1985) (holding that
14 Montgomery County may not regulate the sale of ammunition under this provision).

15 33. Each of dealer plaintiffs is directly aggrieved and irreparably harmed by the unlawful
16 exercise of power by Anne Arundel County as each of the dealer plaintiffs will be forced to expend
17 thousands of dollars to comply with Bill 109-21 and may be unable to recoup those costs in the course
18 of operating business in the otherwise highly competitive market for the sale of firearms and
19 ammunition among dealers in Maryland.
20

21
22 **COUNT III – IMPLIED PREEMPTION**

23 34. Plaintiffs reallege and incorporate herein by reference all the foregoing allegations of
24 this complaint.

25 35. Maryland has impliedly occupied the field concerning the regulation of Maryland
26 licensed firearms dealers through comprehensive statutes and regulations that govern the locations of
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1 dealers and the conditions under which persons are qualified to make sales as dealers and how dealers
2 may conduct business. Through multiple statutes and Maryland State Police regulations, the State of
3 Maryland comprehensively regulates virtually all aspects of dealer operations, including the
4 imposition of pervasive administrative regulation. When these statutes and regulations were enacted
5 or promulgated, no County had attempted to regulate Maryland licensed firearms dealers in the
6 manner regulated by Bill 109-21.

8 36. As evidenced by foregoing State regulations and the comprehensive and extensive
9 express preemption provisions of State law over the sale, transport, possession and transfer of
10 firearms, local control over the business operations of licensed firearms dealers has not been
11 traditionally allowed or ever been permitted. Nothing in this comprehensive web of State regulation
12 provides for the regulation of licensed dealer operations by localities in the manner regulated by Bill
13 109-21. To date, the Maryland State Police, the State agency charged with administering State
14 regulatory requirements over State licensed firearms dealers, has never recognized any role or
15 authority for counties or local jurisdictions to regulate State licensed firearms dealers.

18 37. Allowing local jurisdictions to regulate the operations of dealers would allow local
19 jurisdictions to shut down State-licensed dealer business operations that are fully allowed by State
20 law, thereby interfering with the right and ability of the State and the Maryland State Police to regulate
21 dealers. Bill 109-21 requires the plaintiff dealers obtain prior approval from the County annually
22 before a dealer may operate their business, notwithstanding that these businesses have been licensed
23 by the State, regulated by the Maryland State Police and, under State law, are fully entitled to open
24 and operate in accordance with State law. Bill 109-21 creates an application process and requirements
25 that are different than and in addition to the dealer licensing requirements created and enforced under
26 State law. Bill 109-21 imposes requirements on firearms dealers that State law does not impose. Allowing
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1 counties to enact and enforce the requirements, such as set forth in Bill 109-21 would create a two-
2 tiered regulatory process that would interfere with dealer regulation under State law. Such a two tier
3 system would inevitably allow counties to create different requirements that would be inconsistent
4 with State regulation of dealers and that would vary from county to county. Such a system would
5 likely engender confusion among dealers and the public and would necessarily frustrate the goals and
6 objectives of the State’s comprehensive system of dealer regulation.
7

8 38. Bill 109-21 thus “deals with an area in which the General Assembly has acted with
9 such force that an intent to occupy the entire field must be implied.” *Howard County v. Potomac*
10 *Electric Power Co.*, 319 Md. 511, 522, 573 A.2d 821 (1990). See also *Board Of County*
11 *Commissioners of Washington County, Maryland v. Perennial Solar, LLC*, 464 Md. 610, 619-20, 212
12 A.3d 868 (2019).
13

14 39. Each of the plaintiffs and MSI’s members are hindered or chilled in their right to live
15 or work and purchase firearms and/or ammunition in Anne Arundel County by the threat of
16 enforcement of the provisions of Bill 109-21. Each of the plaintiffs has been irreparably harmed and
17 is imminently threatened with future irreparable harm by the prospect of enforcement of the
18 provisions of Bill 109-21.
19

20 **COUNT IV – VIOLATION OF THE MARYLAND DUE PROCESS CLAUSE**

21 40. Plaintiffs reallege and incorporate herein by reference all the foregoing allegations of
22 this complaint. This Count arises under the Due Process Clause, Article 24 of the Maryland
23 Declaration of Rights.
24

25 41. Article 24 of the Maryland Declaration of Rights provides “[t]hat no man ought to be
26 taken or imprisoned or disseized of his freehold, liberties or privileges, or outlawed, or exiled, or in
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1 any manner, destroyed, or deprived of his life, liberty or property, but by the judgment of his peers,
2 or by the Law of the land.”

3 42. Article 24 of the Maryland Declaration of Rights prohibits the enactment or
4 enforcement of vague legislation. Under Article 24, “[t]he void-for-vagueness doctrine as applied to
5 the analysis of penal statutes requires that the statute be “sufficiently explicit to inform those who are
6 subject to it what conduct on their part will render them liable to its penalties.” *Galloway v. State*, 365
7 Md. 599, 614, 781 A.2d 851 (2001). Under Article 24, a statute must provide “legally fixed standards
8 and adequate guidelines for police ... and others whose obligation it is to enforce, apply, and
9 administer [it]” and “must eschew arbitrary enforcement in addition to being intelligible to the
10 reasonable person.” (Id. at 615). Under this test, a statute must be struck down if it is “so broad as to
11 be susceptible to irrational and selective patterns of enforcement.” (Id. at 616).

14 43. The void for vagueness doctrine applies to laws imposing criminal penalties as well
15 as to laws imposing only civil penalties. *Madison Park North Apartments, L.P. v. Commissioner of*
16 *Housing and Community Development*, 211 Md. App. 676, 66 A.3d 93 (2013), *appeal dismissed* 439
17 Md. 327, 96 A.3d 143 (2014). Maryland law allows a pre-enforcement action arising under Article
18 24 of the Maryland Declaration of Rights and otherwise. *Pizza di Joey, LLC v. Mayor of Baltimore*,
19 470 Md. 308, 343-44, 235 A.3d 873 (2020) (collecting cases).

21 44. Bill 109-21 purports to regulate conduct that takes place within 100 yards of “a place
22 of public assembly,” which is defined by Bill 109-21 as including a “LOCATION USED FOR A
23 GATHERING OF 50 OR MORE PERSONS FOR DELIBERATION, WORSHIP,
24 ENTERTAINMENT, EATING, DRINKING, AMUSEMENT, SHOPPING, AWAITING
25 TRANSPORTATION, OR SIMILAR USES.” Bill 109-21 does not define the terms
26 “DELIBERATION, WORSHIP, ENTERTAINMENT, EATING, DRINKING, AMUSEMENT,
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1 SHOPPING, AWAITING TRANSPORTATION, OR SIMILAR USES” and one or more of those
2 terms is open to widely varying interpretations. Similarly, the term “LOCATION” is not defined and
3 is vague, as it could include, for example, a single store, or an entire group of stores in a given
4 shopping mall or strip mall. These terms are not “sufficiently explicit to inform those who are subject
5 to it what conduct on their part will render them liable to its penalties” in violation of Article 24 of
6 the Maryland Declaration of Rights. Bill 109-21 fails to provide “legally fixed standards” or
7 “adequate guidelines” to enforcing officials in violation of Article 24 of the Maryland Declaration of
8 Rights.
9

10
11 45. Each of the dealer plaintiffs has engaged and intends to engage in conduct arguably
12 regulated by the unconstitutionally vague provisions of Bill 109-21. None of the dealer plaintiffs is
13 currently fully in compliance with all the requirements imposed by Bill 109-21. The plaintiff dealers
14 intend to engage in the sale, transfer and transport of firearms and ammunition in a manner compliant
15 with State and Federal law but which would be in arguable non-compliance with requirements
16 imposed by Bill 109-21. Each of the dealer plaintiffs is and will be chilled in the actions they may
17 take or not take by the prospect of enforcement of Bill 109-21’s unconstitutionally vague provisions.
18 Each dealer cannot be sure whether Anne Arundel law enforcement officials will deem that its
19 business location falls within the expanded 100-yard radius of regulation enacted by Bill 109-21 and
20 each dealer is susceptible to irrational and selective patterns of enforcement by County law
21 enforcement officials. Each of the dealer plaintiffs and MSI’s members are hindered or chilled in their
22 right to live or work in Anne Arundel County or purchase firearms and/or ammunition in Anne
23 Arundel County by the threat of arbitrary or discriminatory enforcement of the unconstitutionally
24 vague provisions of Bill 109-21. Each of the plaintiffs has been irreparably harmed and is imminently
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1 threatened with future irreparable harm by the prospect of enforcement of the unconstitutionally
2 vague provisions of Bill 109-21.

3 **PRAYER FOR RELIEF**

4 WHEREFORE, the Plaintiffs respectfully request:

5 A. That this Court issue a declaratory judgment that Bill 109-21 is not a local law and is thus
6 unconstitutional under Article XI–A, § 3 of the Maryland Constitution, as more fully set forth in
7 Count I above;

8 B. That this Court issue a declaratory judgment that Bill 109-21 violates the Express Powers
9 Act, MD Code, Local Government, § 10-206, in that it is inconsistent with, and/or preempted by
10 Maryland statutes, as more fully set forth in Count II, above;

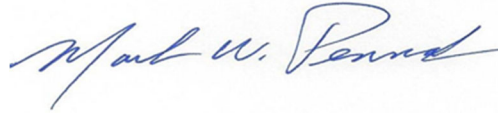
11 C. That this Court issue a declaratory judgment that Bill 109-21 is impliedly preempted by
12 the comprehensive licensing system for firearms dealers enacted by the General Assembly and
13 administered and enforced by the Maryland State Police, as more fully set forth in Count III, above;

14 D. That this Court issue a declaratory judgment that Bill 109-21 is void for vagueness under
15 Article 24 of the Maryland Declaration of Rights, as more fully set forth in Count IV above;

16 E. That this Court find that all plaintiffs have been and/or will be irreparably harmed by the
17 conduct of defendant challenged in Counts I, II, III and IV and enter a preliminary and permanent
18 injunction barring the County from enforcing Bill 109-21 against plaintiffs;

1 F. That this Court award the plaintiffs such other and further relief as in law and justice they
2 may be entitled to receive.

3 Respectfully submitted,

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