



## Testimony of Montgomery County Young Democrats Before Senate Judicial Proceedings Committee in Support of SB 488–Public Nuisances-Gun Industry Accountability Act of 2024

February 16th, 2024

Chair Smith, Vice Chair Waldstreicher, members of the Committee:

The Montgomery County Young Democrats (MCYD) urge your support and a favorable recommendation for SB 488, the Gun Industry Accountability Act of 2024. This bill will help hold the gun industry, including manufacturers and retailers, legally liable for the misuse of guns and help prevent reckless harm caused by their products.

MCYD is a group of young Democrats ages 14-35 who work to make Montgomery County and Maryland better places to live, elect Democrats to office, advocate for various issues, and get young people involved in politics and advocacy. We have unfortunately grown up in the shadow of gun violence, hearing about numerous mass shootings and a steady drumbeat of injuries and deaths.

Gun violence is a horrifying blight on our society, killing tens of thousands of people every year. During the pandemic the gun murder rate rose sharply. [In 2021, 48,830 people died from gun-related injuries](#). Yet, the gun industry is shielded from civil litigation that would hold them accountable for the misuse of their products by the Protection of Lawful Commerce in Arms Act (PLCAA), which effectively blocks most lawsuits against them and thwarts countless victims from obtaining justice.

Other industries have been forced by civil litigation to adopt safer practices because these lawsuits have exposed issues, shaped public opinion, and influenced bills and laws. Lawsuits against the automobile industry resulted in seat belts, airbags, and safer cars that are less likely to crumple in accidents. Lawsuits against the tobacco industry resulted in limits on tobacco advertising, warning labels on tobacco products, and massive payments to people who suffered conditions derived from smoking. Furthermore, lawsuits are currently underway against opioid manufacturers to hold them accountable for overprescribing these pills, ruining countless lives, and causing the deaths of many Americans.

It is time for similar accountability for the gun industry. Gun marketing is dangerously irresponsible, often directed toward children and teenagers. Families affected by gun violence frequently try to sue gun manufacturers and retailers, but the PLCCA has enabled most of the lawsuits to be dismissed.

The Gun Industry Accountability Act of 2024 establishes clear avenues for justice in cases involving harm caused to the public by the gun industry. Specifically, it would hold individuals and entities accountable in the following cases:

- Members of the gun industry would be banned from knowingly or recklessly causing harm to the public. This would include manufacturing, marketing, distributing, importing, or selling gun-related products in ways that are unlawful or unreasonable, considering the entire context.
- Gun retailers and manufacturers would be required to implement reasonable controls about the manufacture, marketing, and sale of guns. These controls are designed to prevent guns from falling into the hands of criminals and other individuals unfit to possess guns.

If either of these standards are violated, both the State of Maryland and private citizens would have the right to take legal action. SB 488 provides victims of gun violence with pathways to justice for irresponsible and dangerous industry practices, which currently go unchecked. Allowing legal action against the gun industry will drive the worst offenders out of business and spur other businesses to adopt better behavior.

The fight to stop gun violence will require many reforms. The Gun Industry Accountability Act is an important step forward that will enhance public safety and promote accountability within the gun industry. The Montgomery County Young Democrats urge your support for SB 488 and ensure its swift passage.

Please contact us at [mocoyoungdems@gmail.com](mailto:mocoyoungdems@gmail.com) with any questions.

Sincerely,

The Montgomery County Young Democrats