



Maryland State's Attorneys' Association

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DATE: **March 6, 2024**

BILL NUMBER: **HB 684**

POSITION: **Unfavorable**

The Maryland State's Attorneys' Association (MSAA) opposes House Bill 684 and urges this Committee to issue an unfavorable report.

Marylanders are permitted to carry a rifle or shotgun in public without a permit, so long as the weapon is not concealed or carried in particular locations and so long as the individual is not otherwise disqualified from possessing such a weapon – if an individual wishes to carry a handgun, though, they must apply for and receive a permit pursuant to MD. CODE ANN., PUB. SAFETY § 3-101 *et seq.* In *New York State Rifle & Pistol Ass'n, Inc. v. Bruen*, 597 U.S. 1, (2022), the Supreme Court struck down “may-issue” licensing regimes, like the one Maryland had in place, that required an individual to demonstrate a “special need” to carry a handgun in public. This has greatly increased the set of Marylanders who are eligible to receive permits to carry handguns in public.

Even as it struck down “may-issue” licensing regimes in *Bruen*, the Supreme Court did not disturb licensing regimes generally. 597 U.S. at 79 (2022) (“[T]he Court’s decision does not prohibit States from imposing licensing requirements for carrying a handgun for self-defense.”) (Kavanaugh, J., concurring). There are still a number of significant State interests served by the remaining aspects of the handgun permit regulatory structure in Maryland, even though an applicant is no longer required to demonstrate a “special need” in order to obtain a permit.

HB 684 undermines this regulatory structure, and trivializes the serious danger posed by someone who carries a handgun in public without first receiving a permit to do so. By removing the penalty associated with a first-time violation of certain subsections of MD. CODE ANN., CRIM. LAW § 4-203, HB 684 makes the law’s command a mere suggestion. Responsible and law-abiding persons who choose to carry a handgun in public without a permit in Maryland are neither responsible nor law-abiding – they are violating the law in a serious way, and MSAA urges this Committee to ensure that this remains the case by issuing an unfavorable report on HB 684.