



**House Bill 304
Gun Theft Felony Act of 2024
FAVORABLE**

During multiple Sessions over the last decade, bills which would elevate the severity of firearm theft above the level of a simple misdemeanor theft of property have been considered and rejected by this Committee.

Under existing law, the penalty for the theft of firearms is based on the value of the property stolen.

The theft of an inexpensive but fully functional firearm with a value under \$100 is a misdemeanor offense punishable by up to 90 days imprisonment or a fine not exceeding \$500 or both.

For a first offense, a person who steals multiple fully functional firearms with a combined value of less than \$1,500 is guilty of only a misdemeanor and subject to imprisonment not exceeding 6 months or a fine not exceeding \$500 or both. A conviction for this offense does not result in prohibiting the offender from legally owning a firearm.

For a second or subsequent offense, a person who steals multiple fully functional firearms with a combined value of less than \$1,500, is guilty of only a misdemeanor and subject to imprisonment not exceeding 1 year or a fine not exceeding \$500 or both. This offense also does not result in prohibiting the offender from legally owning a firearm.

Firearms theft does not reach the level of a felony until the value exceeds \$25,000.

The mere possession of a home-built un-serialized firearm is a misdemeanor offense and upon conviction a person is subject to imprisonment for up to 5 years or a fine not exceeding \$10,000 or both. A conviction results in a lifetime prohibition on owning or possessing a firearm. This penalty makes stealing a fully functioning factory-built firearm rather than building a so-called "ghost gun," a far more attractive option.

House Bill 0304
Favorable

If a firearm owner stores a firearm in such a way that a minor or prohibited person could gain simple access to the firearm, even with no other action or event involved, the firearm owner is subject to a misdemeanor offense and a fine of up to \$1,000. Why does the State punish an otherwise law-abiding citizen more severely than a criminal who is supplying stolen firearms to other criminals?

House Bill 304 treats the theft of a firearm as the serious crime it is and places the focus on the criminal and the criminal behavior involved in the theft of a firearm. Once stolen, a firearm is no longer in the stream of lawful commerce and will be possessed, transferred, or used in violation of the law. It is time for the Maryland General Assembly to recognize the severity of crimes involving the theft of a firearm.

Elevating the severity of firearms theft from a simple misdemeanor to a felony offense with significant penalty provisions is not only appropriate but necessary.

We strongly urge a favorable report on House Bill 304.

Respectfully,

John H. Josselyn
2A Maryland
01/31/2024

2A Maryland - Maryland Gun Laws 1988-2023

Session	Bill Number	Bill Title
1988	HB1131	Handguns - Prohibition of Manufacture and Sale (Saturday Night Special Ban)
1989	SB0531	Firearms - Assault Weapons
1992	SB0043	Firearms - Access by Minors
1993	SB0330	Gun Shows - Sale, Trade or Transfer of Regulated Firearms
1994	HB0595?	Storehouse Breaking - Penalty
1994	SB0619	Assault Pistol Ban
1996	HB0297	Maryland Gun Violence Act of 1996
1996	HB1254	Education - Expulsion for Bringing a Firearm onto School Property
1999	HB0907	School Safety Act of 1999
2000	SB0211	Responsible Gun Safety Act of 2000
2001	HB0305	Bulletproof Body Armor - Prohibitions
2002	HB1272	Criminal Justice Information System - Criminal History Records Check
2009	HB0296	Family Law - Protective Orders - Surrender of Firearms
2009	HB0302	Family Law - Temporary Protective Orders - Surrender of Firearms
2011	HB0241	Criminal Law - Restrictions Against Use and Possession of Firearms
2011	HB0519	Firearms - Violation of Specified Prohibitions - Ammunition and Penalty
2012	HB0209	Public Safety - Possession of Firearms - Crimes Committed in Other States
2012	HB0618	Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms
2013	SB0281	Firearms Safety Act of 2013
2018	HB1029	Criminal Law - Wearing, Carrying or Transporting Loaded Handgun - Subsequent Offender
2018	HB1302	Public Safety - Extreme Risk Protective Orders
2018	HB1646	Criminal Procedure - Firearms Transfer
2018	SB0707	Criminal Law - Firearm Crimes - Rapid Fire Trigger Activators
2019	SB0346	Public Safety - Regulated Firearms - Prohibition of Loans
2020	HB1629	Office of the Attorney General - Firearm Crime, Injuries, Fatalities, and Crime Firearms - Study
2021	HB1186	Office of the Attorney General - Firearm Crime, Injuries, Fatalities, and Crime Firearms - Study Extension
2022	SB0387	Public Safety - Untraceable Firearms
2022	SB0861	Crimes - Firearms and Inmates - Enforcement, Procedures, and Reporting
2022	HB1021	Public Safety – Licensed Firearms Dealers – Security Requirements
2023	SB0001	Criminal Law - Wearing, Carrying, or Transporting Firearms - Restrictions (Gun Safety Act of 2023)
2023	SB0858	Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)
2023	HB0824	Public Safety - Regulated Firearms - Possession and Permits to Carry, Wear, and Transport a Handgun