



**House Bill 659
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 0659
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 659 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 659.

Respectfully,

John H. Josselyn
2A Maryland
02/13/2024

Attachment (1)

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

2A MARYLAND

Data Source: Maryland UCR 2011-2021

Victim - Race	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
White	68	68	69	71	96	85	102	75	88	97	76
Black	322	301	318	283	449	446	457	402	451	472	312
Asian	5	3	0	5	4	2	9	5	3	3	6
American Indian	0	0	0	2	0	0	0	1	0	1	0
Unknown	3	0	0	2	4	1	1	6	1	0	1
Total	398	372	387	363	553	534	569	489	543	573	395
Per Capita Rate	6.8	6.3	6.5	6.1	9.2	8.9	9.4	8.1	9.0	9.5	6.4

Victim - Race	2011-2021 Total	Yearly Average - 11 Years	Ratio to White
White	895	81	1.00
Black	4213	383	4.71
Asian	45	4	0.05
American Indian	4	0	0.00
Unknown	19	2	0.02
Total	5176	471	
Per Capita Rate		7.84	

Offender - Race	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
White	65	44	50	74	85	64	79	58	71	56	45
Black	258	271	260	186	242	190	305	266	268	310	234
Asian	1	0	2	2	2	6	2	2	1	2	3
American Indian	0	0	0	0	0	0	0	1	0	3	0
Unknown	164	159	158	159	321	339	288	224	285	282	180
Total	488	474	470	421	650	599	674	551	625	653	462

Offender - Race	2011-2021 Total	Yearly Average - 11 Years	Ratio to White
White	691	63	1.00
Black	2790	254	4.01
Asian	23	2	0.03
American Indian	4	0	0.01
Unknown	2559	233	3.70
Total	6067	552	

Victim Age Range	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Under 18	32	21	26	30	43	27	43	27	29	30	22
18-21	57	65	65	40	69	81	64	52	79	89	52
22-29	130	104	115	110	184	179	194	157	172	165	96
30 and over	179	182	181	183	257	244	266	251	262	290	219
Unknown	0	0	0	0	0	3	2	2	2	1	4

Victim Age Range	2011-2021 Total	Yearly Average - 11 Years
Under 18	330	30
18-21	713	65
22-29	1606	146
30 and over	2514	229
Unknown	14	1

Offender Age Range	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Under 18	12	15	10	16	16	16	17	20	14	18	18
18-21	56	57	57	38	53	55	64	41	48	53	39
22-29	81	70	69	76	100	90	102	64	81	83	65
30 and over	99	72	83	97	103	91	107	99	91	111	95
Unknown	240	260	251	194	378	347	384	327	394	399	249

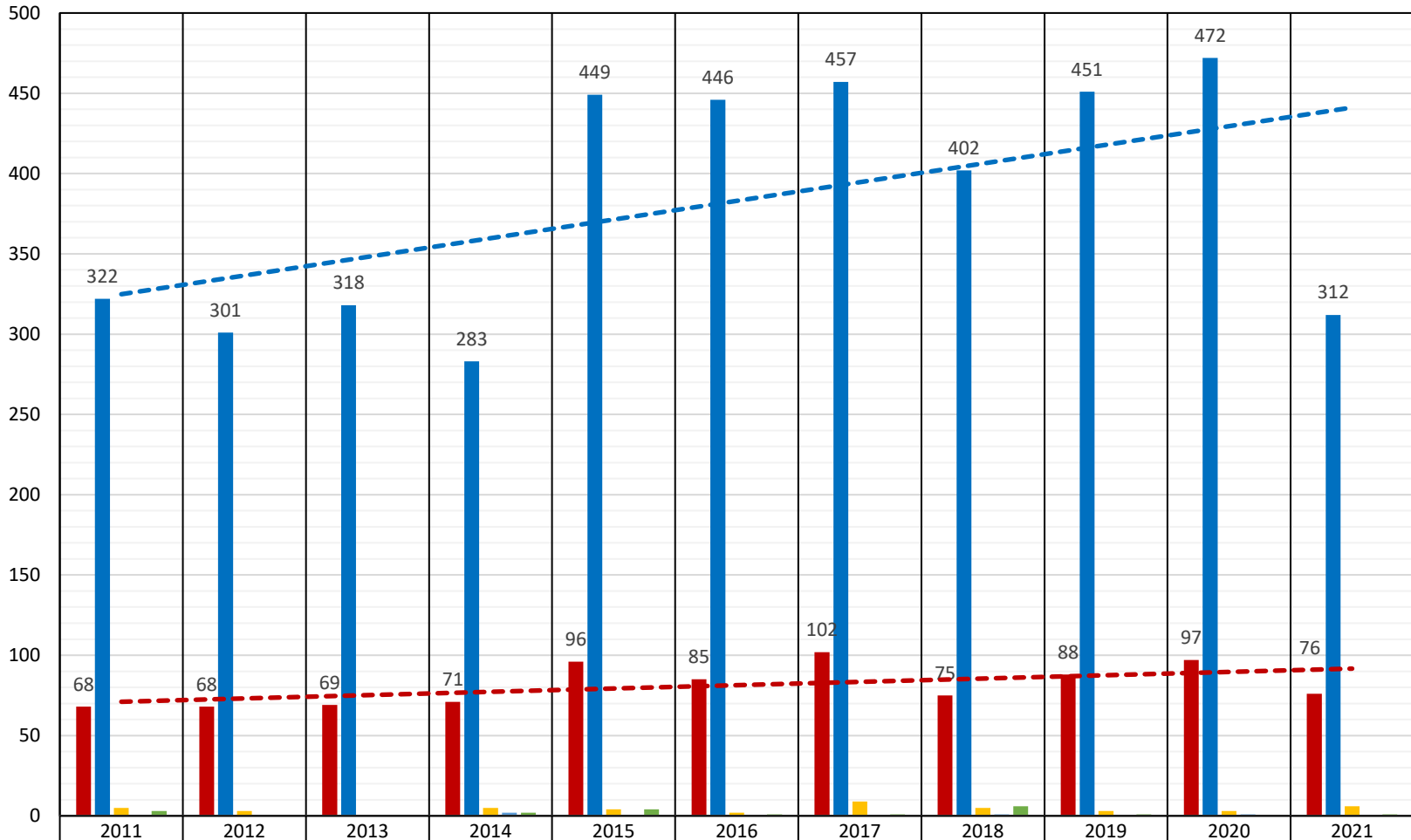
Offender Age Range	2011-2021 Total	Yearly Average - 11 Years
Under 18	172	16
18-21	561	51
22-29	881	80
30 and over	1048	95
Unknown	3423	311

Maryland Population (Approx)	6,164, 660	%
White	3,532,350	57.30%
Black or African American alone	1,954,197	31.70%
Asian	437,691	7.10%
American Indian & Alaska Native	616,466	1%
Others combined	197,269	3.20%

Population Data Source
www.census.gov/quickfacts/fact/table/marylandheightscitymissouri,marylandcitycdpmaryland,MD/RHI125222

2A Maryland

VICTIMS: RACE & Year - Source: MSP Uniform Crime Reports 2011-2021



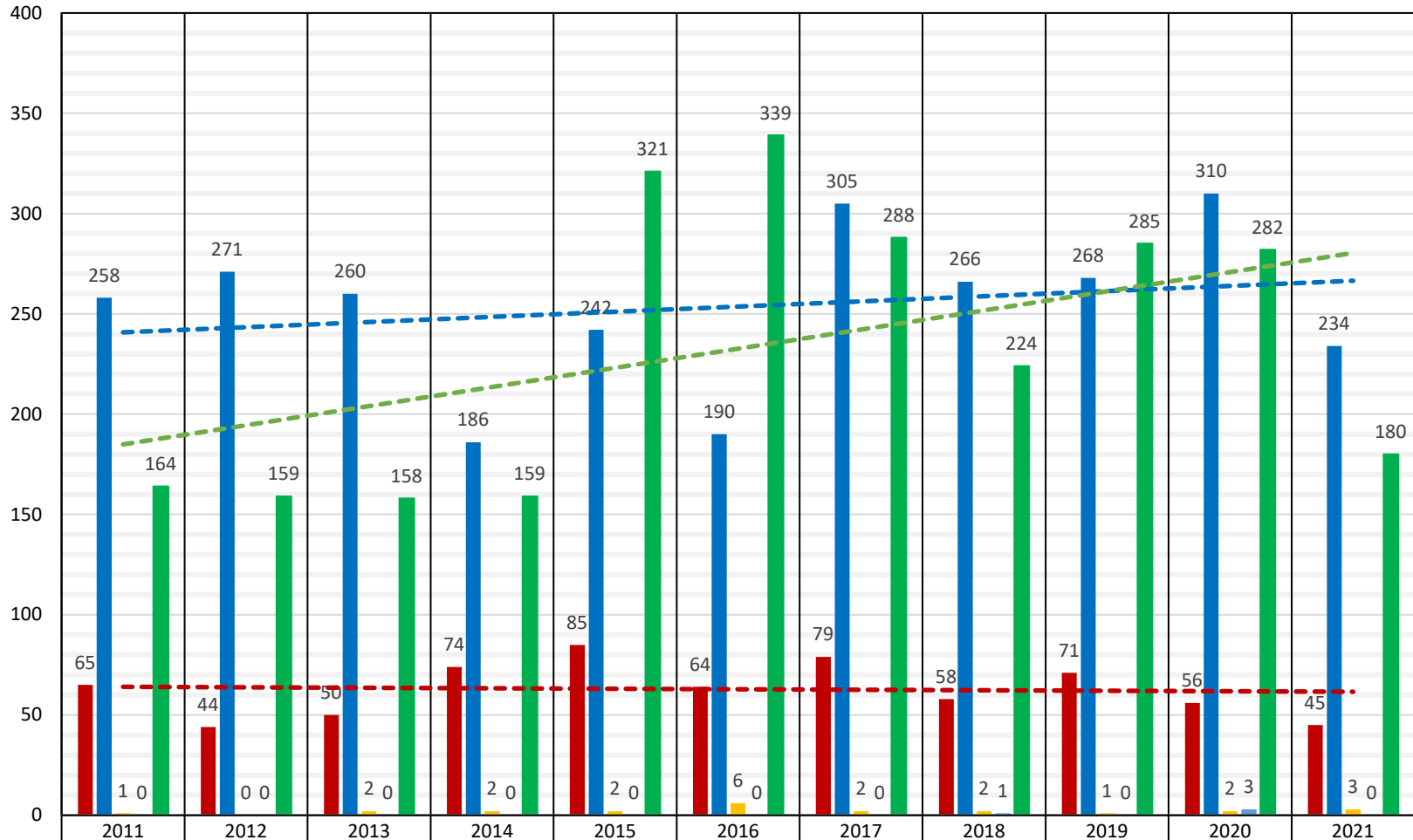
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Unknown	3	0	0	2	4	1	1	6	1	0	1

■ White
 ■ Black
 ■ Asian
 ■ American Indian
 ■ Unknown
 - - - Linear (White)
 - - - Linear (Black)

HB 0659 Attachment #2 - 2A Maryland

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OFFENDERS: RACE & Year - Source: MSP Uniform Crime Reports 2011-2021

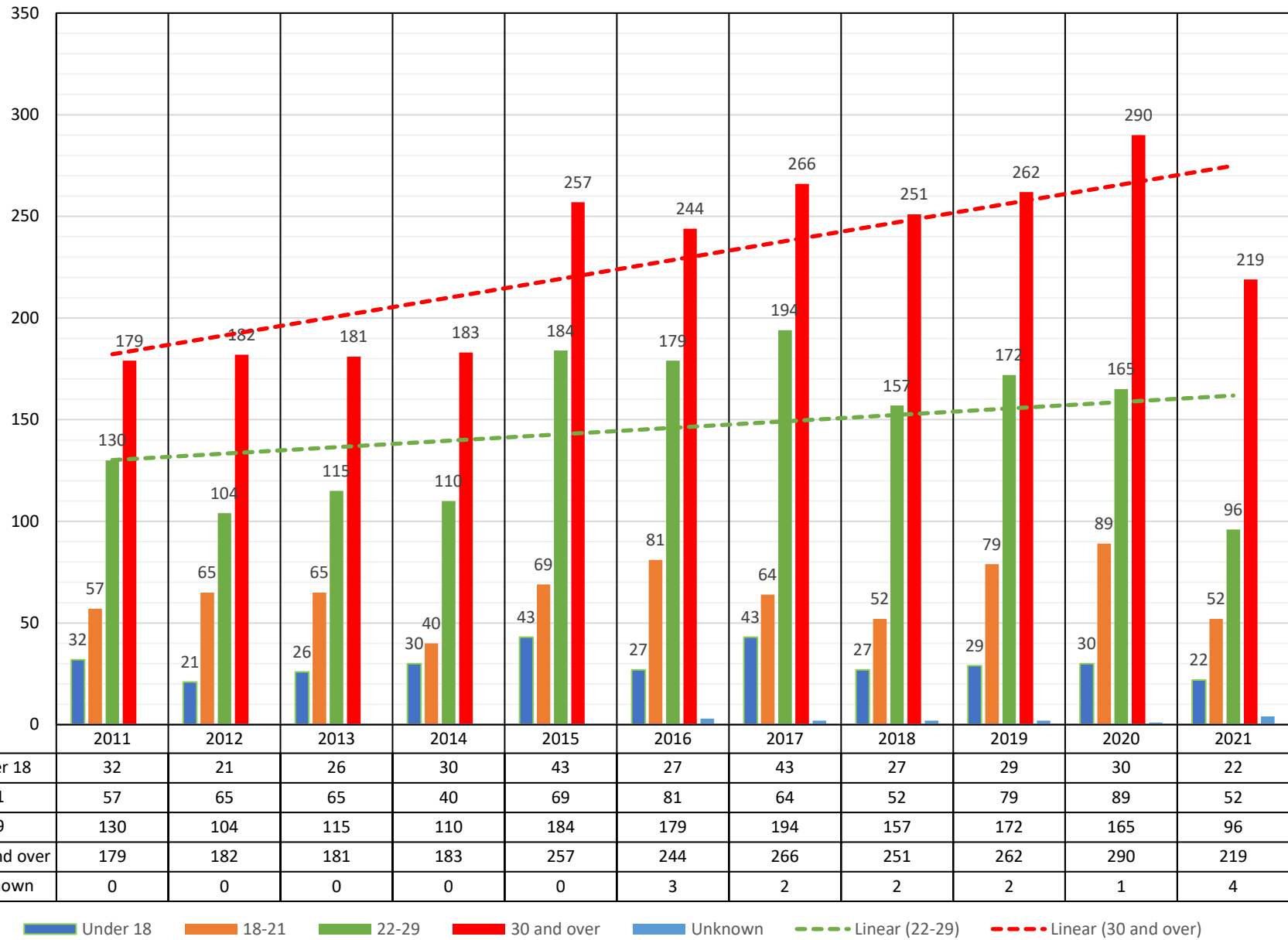


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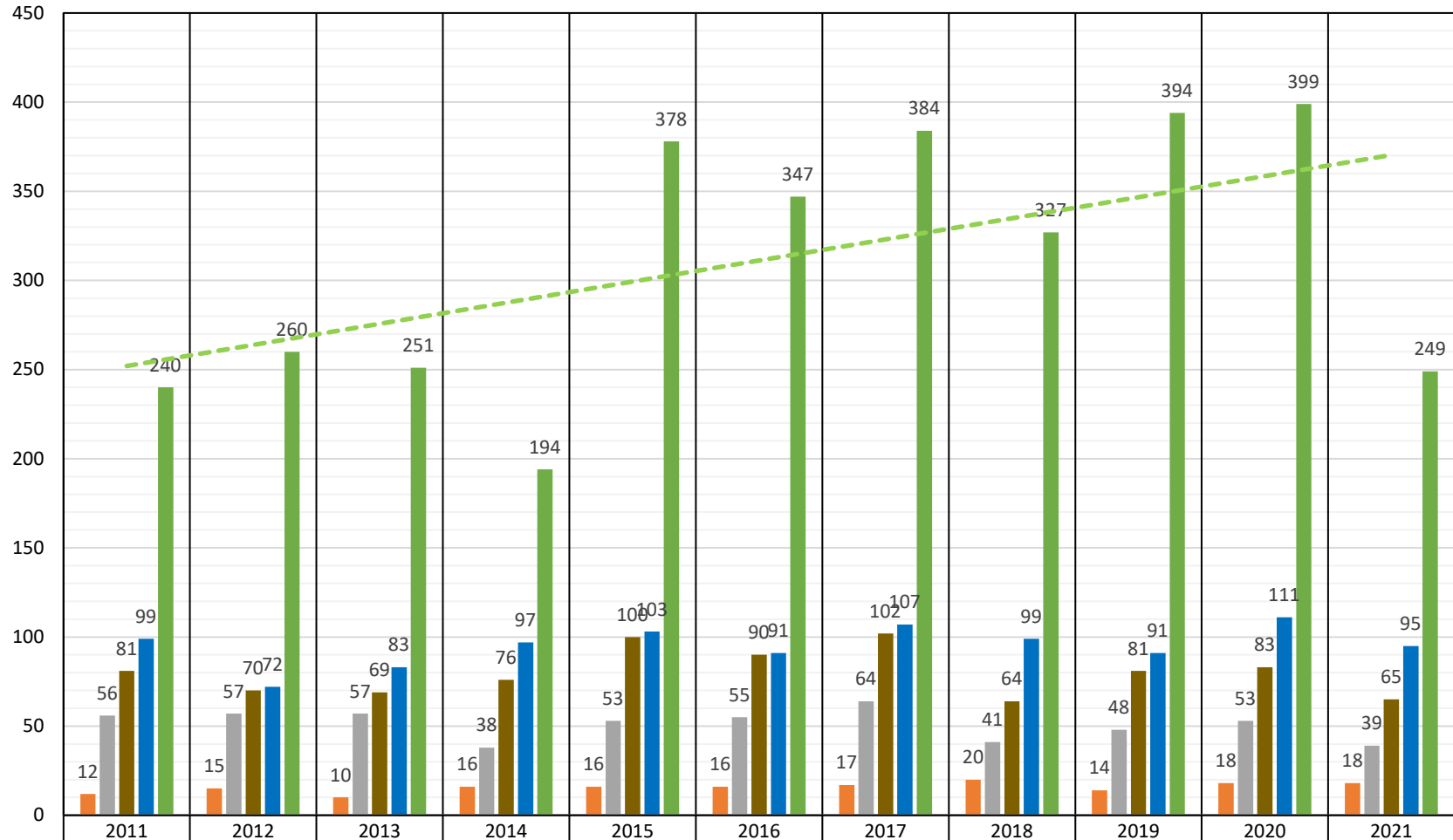
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VICTIMS: AGE RANGE & Year - Source: MSP Uniform Crime Reports 2011-2021



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OFFENDERS: AGE RANGE & Year - Source: MSP Uniform Crime Reports 2011-2021



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