



**House Bill 947**  
**Civil Actions – Public Nuisances – Firearm Industry Members**  
**Gun Industry Accountability Act of 2024**

**UNFAVORABLE**

The Maryland State Rifle & Pistol Association (MSRPA) opposes HB 947, the Gun Industry Accountability Act of 2024.

The intent of this bill is to overrule the Protection of Lawful Commerce in Arms Act (PLCAA), a United States Federal law which protects firearm manufacturers and dealers from being held liable for criminal misuse of their products. The PLCAA was enacted in 2005 by a broad bipartisan majority in response to dozens of frivolous lawsuits orchestrated and largely funded by gun control groups, solely to put gun companies out of business based on circumstances beyond their control.

Despite political rhetoric to the contrary, the PLCAA does not grant the firearm and ammunition industry blanket immunity from suit different than that enjoyed by other industries. Instead, the PLCAA codifies common law and common sense principles to prevent baseless litigation from bankrupting an entire lawful industry. In addition, PLCAA does not shield gun companies from being sued for wrongdoings. It includes carefully crafted exceptions to allow legitimate victims their day in court for cases involving defective firearms, breaches of contract, criminal behavior by a gun maker or seller, or the negligent entrustment of a firearm to an irresponsible person.

HB 947 is similar to HB 259 in 2023 which was considered by this committee last year but failed to advance. This bill will not pass muster with the Maryland Declaration of Rights. In addition, a federal judge has blocked California's attorney general from enforcing a new law that allows residents, the state and local governments to sue members of the firearms industry that manufacture or sell "abnormally dangerous" guns. U.S. District Judge Andrew Schopler found the law likely violated the Constitution's so-called dormant Commerce Clause, which restricts states from interfering with interstate commerce. The ruling stems from a lawsuit filed by the National Shooting Sports Foundation (NSSF), arguing that the law violates constitutional provisions, including the Second Amendment and the dormant Commerce Clause. Judge Schopler found that the law likely interferes with interstate commerce by extending liability beyond California's borders. He issued a preliminary injunction preventing the state's Attorney General from suing NSSF members while the legal challenge progresses.

## Page 2

### MSRPA testimony HB 947

Maryland's licensed firearms dealers are NOT the source of reckless, illegal actions of negligent citizens or violent criminals. (See OAG Maryland Firearm Crime, Injuries, Fatalities and Crime Firearms Study; pages 25-27) The firearms industry is already highly regulated by federal and state statutes, with severe civil and criminal penalties for any and all criminal transgressions.

The manufacture, distribution, and sales of firearms, ammunition, and accessories associated with hunting and shooting sports contribute to Maryland's economy. There are hundreds of firearm related businesses, with good paying jobs, which contribute millions of dollars in taxes to the state, including taxes used for conservation. You will put an industry out of business, cause people to lose their jobs, reduce the state's income tax receipts, and thereby harm Maryland's economy, *that on top of a \$1.1 billion deficit.* (See NSSF Economic Impact of the Firearm Industry / Maryland)

Bottom line: HB 947 threatens a lawful industry, our basic constitutional rights of self-defense, and our civil liberties, *and* it will not make Maryland safer from criminal violence.

The MSRPA respectfully requests an unfavorable report on HB 947.

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The MSRPA is the official National Rifle Association state organization for Maryland. The MSRPA's mission is to defend our rights in Maryland, support training in firearm safety and shooting skills through its affiliated clubs, and sponsor and sanction local competition throughout the state.