



**State of Maryland**  
**Department of State Police**  
Government Affairs Unit  
Annapolis Office (410) 260-6100

**POSITION ON PROPOSED LEGISLATION**

**DATE:** February 28, 2024  
**BILL NUMBER:** House Bill 430      **POSITION:** Oppose  
**BILL TITLE:** Firearms – Liability Insurance – Public Wearing and Carrying

**REVIEW AND ANALYSIS**

This legislation requires a person that wears, carries, or transports a loaded firearm in Maryland to have special liability insurance issued by an insurer authorized to do business in Maryland. The insurance is also required for a person who lawfully stores a firearm. The only exceptions to this legislation are members of the military and federal law enforcement officers while traveling to or from duty.

Under current law, the Department of State Police is responsible for regulating the sale of regulated firearms and the issuance of handgun permits. Special insurance is not required for wearing, carrying, possession, or transporting a firearm. Some home owner’s insurance policies cover theft of the firearm or accidents within the home.

House Bill 430 requires any person, police officer, hunter, firearm owner, etc., to purchase liability insurance up to \$300,000 to cover claims arising from property damage, bodily injury, or death arising from an accident resulting from a person’s use or storage of a firearm, including interest and costs arising from an incident. The bill applies to a every person carrying any type of firearm, including handguns, rifles, or shotguns. This bill applies to nonresidents while within the borders of this state. Our research indicates the insurance required by the bill does not yet exist in Maryland. Nationally, liability insurance for possession or misuse of a firearm is provided by private organizations to its members.

As written, the requirements of the bill apply to all police officers in Maryland and those that would travel to Maryland on official or non-official business. The Department of State Police (DSP) does insure all of its employees against work related incidents, but this bill requires employees to have extra liability insurance. DSP participates in collective bargaining. As this legislation directly impacts working conditions, we expect that this will be included in the next contract discussion should the bill pass. House Bill 430 creates a huge financial burden on local and state government.

House Bill 430 places a financial burden on the law-abiding firearm owner as well as anyone who does not own a firearm but may only possess a firearm for a temporary purpose such as target shooting or hunting. The burden also applies to non-residents who travel into or through Maryland, who transport a firearm for any reason.

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This legislation requires sport shooters, competition shooters, colleges that teach hunter safety, and any other law-abiding group to have this liability insurance.

The bill provides little guidance for enforcement. The bill does not require a person to carry proof of insurance, nor are law enforcement officers allowed to ask for proof because the person is not required to have it on their person. Additionally, conviction is a prohibitor, but if an officer encounters a person without insurance are they required to seize the firearm? If a person is arrested for the illegal use of a firearm, is there an expectation the person will be charged with failing to have insurance? Enforcement would be problematic. This legislation creates a number of operational and fiscal issues for law enforcement agencies and the law abiding public.

For these reasons, the Department of State Police urges the committee to give House Bill 430 an unfavorable report.