



Maryland State's Attorneys' Association

3300 North Ridge Road, Suite 185

Ellicott City, Maryland 21043

410-203-9881

FAX 410-203-9891

Rich Gibson
President

Steven I. Kroll
Coordinator

DATE: February 6, 2024

BILL NUMBER: HB 422

POSITION: Favorable with Amendment

The Maryland State's Attorney's Association (MSAA) supports HB 422 with two minor, but important, amendments to better effectuate its purpose.

Gun violence is destroying our communities and every shooting, particularly when perpetrated by an individual who was prohibited from possessing a firearm in the first place, represents a tragic and avoidable failure of our state to meaningfully address this issue. By treating the unlawful possession of firearms with the seriousness it deserves, HB 422 makes Marylanders safer by deterring prohibited persons from possessing firearms when they have demonstrated by their conduct that they cannot do so safely.

MSAA supports the inclusion of two key amendments to this bill. First, HB 422 addresses only misdemeanor possession of a regulated firearm in violation of MD. CODE ANN., PUB. SAFETY ("PS") § 5-133(b) and felony possession of a rifle or shotgun in violation of PS § 5-206. An amendment that includes felony possession of a regulated firearm in violation of PS § 5-133(c) and misdemeanor possession of a rifle or shotgun in violation of PS § 5-205 would make HB 422 more comprehensive and consistent in its treatment of the Public Safety Article's firearms offenses.

Second, MSAA supports classifying the aforementioned offenses as violent crimes in MD. CODE ANN., CORR. SERVS. § 7-101(m) instead of crimes of violence in MD. CODE ANN., CRIM. LAW ("CL") § 14-101(a). This change would still require individuals convicted of the covered firearms offenses to serve half of their sentence before consideration for release on parole, but would not require courts to impose the mandatory minimum sentences provided for in CL § 14-101, which are, and ought to be, reserved for the most heinous offenses.