

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

Senate Bill 379

(Senator Ferguson, *et al.*)

Judicial Proceedings

Declaration of Rights - The Right to Keep and Bear Arms

This bill proposes a constitutional amendment that would guarantee a citizen the right to keep and bear arms for the defense of self, family, home, and State, and for hunting and recreational use.

Fiscal Summary

State Effect: None.

Local Effect: The Maryland Constitution requires that proposed amendments to the constitution be publicized either: (1) in at least two newspapers in each county, if available, and in at least three newspapers in Baltimore City once a week for four weeks immediately preceding the general election; or (2) by order of the Governor in a manner provided by law. State law requires local boards of elections to publicize proposed amendments to the constitution either in newspapers or on specimen ballots; local boards of elections are responsible for the costs associated with these requirements. It is anticipated that the FY 2003 budgets of local election boards will contain funding for notifying qualified voters about proposed constitutional amendments for the 2002 general election in newspapers or on specimen ballots.

Small Business Effect: None.

Analysis

Current Law: The Second Amendment to the U.S. Constitution provides that “a well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” There is no similar provision under the

Maryland Declaration of Rights, the Maryland Constitution, or the Annotated Code of Maryland.

Background: There are currently 45 states with constitutional provisions relating to a right to keep and bear arms.

Additional Information

Prior Introductions: In 1996 a similar bill (SB 16) received an unfavorable report from the Senate Judicial Proceedings Committee.

Cross File: None.

Information Source(s): Department of Legislative Services

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