

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 529
Judiciary

(Delegate Costa, *et al.*)

Declaration of Rights - 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. The constitutional amendment would not directly affect State finances.

Local Effect: If approved by the General Assembly, this constitutional amendment will be submitted to the voters at the 2006 general election. It should not result in additional costs for the county election boards.

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Prior Introductions: SB 379 of 2002 had a hearing before the Senate Judicial Proceedings Committee and was withdrawn. In 1996, SB 16 received an unfavorable report from the Senate Judicial Proceedings Committee.

Cross File: None.

Information Source(s): Judiciary (District Court, Administrative Office of the Courts), Department of State Police, Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2006
nas/jr

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