

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Education, Health, and
Environmental Affairs Committee



THE SENATE OF MARYLAND
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Senate Bill 208 – Public Safety – Rifles and Shotguns – Secondary Transactions – Unfavorable

Dear Chairman Smith and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 208. I want to begin by making it clear that I oppose this legislation. I have checked thousands of hunters and sportsmen utilizing long guns in my 30 year law enforcement career. I don't see how this proposal will have any meaningful impact on crime in Maryland.

Today, I am here on behalf of the approximately 2,250 members of the Amish and Traditional Mennonite communities who live in Southern Maryland. These communities are concerned that they will have their Second Amendment rights severely curtailed under Senate Bill 208. The Amish and the Traditional Mennonites do not believe in having their picture taken, which would limit their ability to transfer long guns within their communities, as the background check required under the bill includes photo identification. This has not been an issue on previous bills involving handguns because the Amish and Traditional Mennonite communities do not believe in using handguns.

I raised this issue when this bill was considered last year, and the previous chairman of Judicial Proceedings worked with me to draft an amendment that will allow an alternative background check process for individuals who have a religious belief against taking a photograph. The purchaser would need to present proof of identity, legal presence, residency, a Social Security Number, and either an IRS Form 4029 or an affidavit stating that the purchaser has a sincerely held religious belief against the taking photographs. This is in keeping with the intent of the bill while still protecting their rights. I have attached letters from representatives of the Amish and Traditional Mennonite communities in Southern Maryland describing the impact that this bill will have on them.

I don't believe that anyone on this committee wants to discriminate on the basis of religious beliefs. I am proposing this amendment to avoid this unintended consequence. If you choose to move this bill forward, I hope that you include this amendment to protect the rights of these Marylanders.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey", written over a horizontal line.

Senator Jack Bailey
District 29
Calvert and St. Mary's Counties