

SB479 and HB 200 would change the definition of a child to mean a person under the age of 18 years and modifies the prohibition to provide that a “person may not store or leave a loaded OR UNLOADED firearm in a location where the person knew or should have known that an unsupervised child COULD gain access to the firearm.” Under this provision, it simply does not matter if the firearm was locked up. All that matters is whether a person under the age of 18 "could" gain access. It doesn't matter whether a child is part of your family or even whether children are never in your house. In the dictionary, "could" is defined as something that is merely "possible." Thus, in other words, if it is "possible" that a 17-year-old, any 17-year-old, anywhere, "could" gain access to your gun safe, the codification of these into law would further create a novel criminal class. This appears to be a favorite pastime of the Maryland General Assembly, perhaps in fulfillment of the desire to be seen by constituency as “doing something” about perceived problems. In this situation, the gun owner is burdened with literally knowing all things possible with respect to access by a 17 (or younger)-year-old. The possibilities for discriminatory and arbitrary enforcement are endless, no doubt part of the appeal to the State of Maryland legislators and law enforcement organizations. Under these bills, the first offense is punishable by 90-days in prison and/or a \$1,000 fine. The second offense is punishable by up to 2 years in prison and/or a \$2,500 fine. And any subsequent offense is punishable by up to 3 years in prison and/or a \$5,000 fine, and is thus a life-time disqualifying crime under State and Federal law.

These bills will likewise repeal the exception in existing law that allows a child to have access to firearms if the child has a certificate of firearm and hunter safety issued by the State. Instead, for minors under the age of 18 and who have the hunter safety certificate, the bills allow access to a rifle or a shotgun IF the minor has been given express permission by a parent. That access is permitted, however, only if the person who stores or leaves the firearm stores the firearm unloaded and stores the **ammunition** “in a secure location where a minor could not **reasonably** gain access to the ammunition.” In short, a minor with a hunter safety certification may have access to a rifle or shotgun with permission but **still** is denied access to **the ammunition**. I understand this citizen concern to be of no concern to the legislators, who truly will only be happy when no one outside of the State/Military apparatus is in possession of firearm technology, however, it is hard to hunt without ammunition.

Finally, these bills provide an exception if “THE FIREARM IS LEFT OR STORED UNLOADED AND HAS BEEN RENDERED INOPERABLE TO ANYONE OTHER THAN AN ADULT.” It is difficult, if not IMPOSSIBLE, to think of a firearm that could be rendered "inoperable" to a 17-year-old, but is still "operable" to an 18-year-old. In short, there is no safe harbor in this bill. It is another piece of misguided legislation that needs to be destroyed and never again resurrected by anyone that claims to believe in what the founding documents of America and/or the State of Maryland clearly state, or who have sworn any oath under said documents.

Vote AGAINST SB479.