

Testimony in Opposition to Senate Bill 0624 of 2021

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Representing Myself

SB0624 is another bill that is a solution in search of a problem, and only creates legal liability, inconvenience, and cost for lawful firearms hobbyists. It is already a felony for a prohibited person to even possess a firearm, whether that firearm is manufactured by him or a licensed manufacturer. But beyond the general pointlessness of this bill, there are some specific issues that, if this bill cannot be put aside entirely, need to be changed to be equitable to lawful hobbyists. There are three key problems:

1. Post 2021, the limiting of engraving to Federally licensed Manufacturers and Importers, rather than all Federal Firearms licensees, such as FFL01 gunsmiths. From my understanding, BATFE considers engraving to be a gunsmithing, not manufacturing, service. So 5-704(A) needs to read:
“ ...MARKED BY A HOLDER OF A VALID FEDERAL FIREARMS LICENSE”
This also affects 5-704(C)(1) and (2), which would need to be modified with the same replacement language.
2. Section 5-704(B)(1) is superfluous because 5-704(B)(2) includes markings requirements of 18 USC 923(I) by reference that include, and in fact exceed, (1)'s requirements. 5-704(B)(1) should be deleted because there is potential for Federal and State law to come into conflict if Federal markings requirements change, making compliance by Maryland residents impossible.
3. Section 5-703(B) needs to have the following added “(3) A HOLDER OF A VALID FEDERAL FIREARMS” in order to provide a mechanism for an owner to lawfully transfer the firearm just as any other firearm would be lawfully transferred, IAW existing Federal and Maryland law.

Again, this entire bill is a solution should rejected, because it is already illegal for prohibited persons to possess firearms. I therefore request the Committee find this bill UNFAVORABLE, or, if it must be passed, at least make the recommended modifications listed above to reduce the harmful impact on lawful firearms hobbyists.