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Testimony of Jon C. Munson II
Maryland General Assembly
House Judicial Committee
HB1396 - UNFAVORABLE

Dear Sirs/Madams:

Regarding HB1396 Public Safety – Firearm Industry Members – Public Nuisance, I OPPOSE this bill.

This bill is a blatant attempt to circumvent the federal Protection of Lawful Commerce in Arms Act. It is a political stunt, created to allow the frivolous suing of arms manufacturers when third parties commit crimes with their arms.

When a vehicle collides with another vehicle, assuming there was no manufacturing flaw or defect responsible for that collision, is the manufacturer responsible for the driver's action? When a baseball bat is used to commit a crime, is the manufacturer of the bat responsible for the criminal's action? If a brick were used to commit a crime, is the manufacturer responsible for the criminal's action?

Further, if authors, filmmakers, or other artists, inspire others to criminal enterprises, or write words, or make works, that *could* inspire others to such, are those authors, etc., responsible for the criminal acts?

The appropriate answer to the above few questions is "no" for a multitude of reasons. Likewise, arms manufacturers are not responsible for the actions of those who would use their tools.

Firearms companies are NOT immune to lawsuits. They can be, and have been, sued for product malfunctions.

To be blunt and clear all the smoke, this bill is a spurious politically charged attempt at causing arms manufacturers to cease to exist by simple virtue of allowing anyone with a pen to render otherwise-frivolous lawsuits that would thus bankrupt them and that industry.

I request you return an UNFAVORABLE opinion.

Sincerely,

//s// Jon C. Munson II