



## HOUSE BILL 0425

### Public Safety-Untraceable Firearms

RICH GIBSON, HOWARD COUNTY STATE'S ATTORNEY

**POSITION: FAVORABLE WITH AMENDMENT FOR HB 0425**

February 7, 2022

My name is Rich Gibson, I am the State's Attorney for Howard County and the President of the Maryland State's Attorneys' Association (hereinafter MSAA). Part of my obligations as State's Attorney is to advocate for laws that enhance the safety and well-being of our community; that is the reason I am writing today to offer my support for House Bill 0425. It should further be noted that the MSAA is a politically diverse group comprised of the elected prosecutors throughout the State; we unanimously support House Bill 0425 and Senate Bill 0387 (cross filed). This bill receives unanimous support from our organization because all elected Maryland State's Attorneys agree that ghost guns are a serious issue, posing a significant public safety threat requiring us, and hopefully you, to act.

Firearms registration ensures owner accountability and help law enforcement solve violent crime. Registration of handguns discourages illegal sales and allows law enforcement to trace firearms and firearm evidence (shell casings and projectiles found on crime scenes) back to owners. When registration is combined with the National Integrated Ballistic Network (hereinafter NIBIN), law enforcement has the ability to link firearms and firearm evidence (casings & projectiles) found at crime scenes to individuals. However, ghost guns circumvent our gun laws and accountability. Ghost guns are untraceable because they are not linked to any person and are acquired ***without*** a background check. This results in putting lethal weapons in the hands of gun traffickers, domestic abusers, and other individuals prohibited by our laws from possessing firearms due to their prior criminal conduct.

This bill, if passed, will provide regulation and criminal consequence to the purchase, sale, transfer, or possession of an unfinished frame or receiver unless, consistent with federal law, the unfinished parts have been imprinted with a serial number. We would strongly suggest amending this bill by removing the clause in section 5-703(b)(1) referencing federal laws. The criminalization of the possession or sale of an unfinished frame or receiver that has not been imprinted with a serial number by a licensed firearms manufacturer or importer should be the entirety of the crime. Statutory construction of the current bill would require prosecutors to prove a violation of the federal laws in order to proceed against an individual in State court. This is an unnecessary burden which weakens the law significantly and it should therefore be removed.

With this proposed amendment HB 0425, we would see a significant step forward in keeping our community safe and lessening violent crime. For these reasons, **I respectfully request a favorable report with amendment to HB 0425.**