

230308-SB655-Credit-gun-safety-device-amend.pdf

Uploaded by: Christine Hunt

Position: FAV

Christine Hunt and Jay Crouthers
1014 Dockser Drive
Crownsville, MD 21032

March 8, 2023

Maryland General Assembly
Members of the Budget and Taxation Committee
Annapolis, MD

RE: SB 655 – Income Tax – Credit for Firearm Safety Devices

Dear Senators,

We support SB 655 and respectfully request that you vote for it.

It makes sense to provide a credit for the purchase of a firearm safety device, such as a gun safe.

However, we feel that the credit amount is too small. It will accommodate covering the cost of some low-end/small number of handguns, but will not come close to assisting with the cost of a gun safe that would be able to store larger firearms such as shotguns and rifles for those who hunt. These safes can run from just less than \$1000 to \$7,000 or more.

Suggested Amendment:

We suggest raising the credit to a minimum of \$500 and preferably \$1000.

Sincerely,

Christine Hunt and Jay Crouthers

DC-W_SB 655_FAV.pdf

Uploaded by: Daniel Carlin-Weber

Position: FAV


Daniel J. Carlin-Weber
SB 655
Favorable
3/9/2023

I am a professional firearms instructor and advocate of responsible firearms handling and ownership. I teach through my Baltimore City-based company, C-W Defense, and hold numerous credentials related to firearms instruction including being recognized as a Qualified Handgun Instructor by the Maryland State Police. Since 2016, I have taught Marylanders from all walks of life how to safely operate firearms and the responsibilities that come with them. I come before you today to urge a favorable report for Senate Bill 655.

If enacted, SB 655 would allow an individual to claim a tax credit of up to \$250 towards the purchase of devices that can be used to safely secure and store firearms. Simply put, this is an excellent method of incentivizing responsible practices for Maryland gun owners. As an instructor, I teach all my students that they should secure their firearms as appropriate to their living situation and within compliance with MD Code, Criminal Law, § 4-104. The support given by this bill makes it easier for owners to make these considerations to avoid unnecessary incidents or incarceration.

I would like to bring to the committee's attention that a similar bill, HB 2387, just passed the Virginia General Assembly with *only* 4 votes in the entire legislative body against it. The bill now awaits the signature of the Governor. It's retrievable here: <https://tinyurl.com/353zdx6b>. The Maryland General Assembly should follow suit.

I urge a favorable report.



Daniel J. Carlin-Weber
225 N Calvert St., 819
Baltimore, MD 21202
dcw@cwdef.com

SB 655 Testimony 20230308.pdf

Uploaded by: Frank Clary

Position: FAV

Maryland General Assembly
Senate Judicial Proceedings Committee, 2023 Session
Testimony in Support (favorable) to SB 0655
“Income Tax - Credit for Firearm Safety Devices”
Written testimony submitted on 08 March, 2023

To the Chair, members and staff of the 2023 Senate Judicial Proceedings Committee,

Thank you for taking time to read my testimony **in support** of SB 0655, “Income Tax - Credit for Firearm Safety Devices”. I have a favorable opinion of this bill, and I am supportive of it. I stand in support of this proposed legislation for a number of reasons. For background, I am a Maryland resident and I reside in Montgomery County. Here are many reasons why I think this bill should be advanced out of the House Judiciary committee.

The Maryland Declaration of Rights recognizes the U.S. Constitution Bill of Rights as the Supreme Law of the Land. This bill does not conflict with the 2nd Amendment and the prescriptions of the recent U.S. Supreme Court Bruen decision because the bill is in keeping with the plain text meaning of the Second Amendment to the U.S. Constitution. The proposed law is analogous to regulations and laws from the 18th century, including the era of the country’s founding. It is within the analogs and norms of known and referenced historical regulations from the era of the nation’s founding. There are founding era historical analogs to the bill’s proposed regulations. The bill matches the historical tradition of the 18th century and the era of the country’s founding. Therefore, on its face the proposed law is in keeping with the Constitution and the Maryland Declaration of Rights, as well as the requirements from hundreds of years of judicial precedent including the Bruen decision.

It is also in compliance with the Maryland Declaration of Rights, including Articles:

2 – Which recognizes that the US Constitution is the Supreme Law of the State, including the 2nd Amendment.

6 – That requires Maryland’s Senators and Delegates to be accountable for their conduct as Trustees of the Public. Because the bill meets the requirement of the Declaration and Bill of Rights, and because the Committee members have been informed and know the Act is in compliance with the Declaration and Bill of Rights, should the bill be made law the Public trust will be upheld by the Committee members and other General Assembly members.

24 – Which prohibits unconstitutional and illegal loss of liberties, property, personal destruction, etc. If “safe storage” laws are passed there are many people in Maryland that will not have the money required to safely store their firearms in operable conditions. Those that have the funds to do so will be able to exercise the right to self-defense, and those that don’t have the funds to do so will not. This is patently unfair. There should be no costs associated with the exercise of any right, including the right to self-defense guaranteed by the second amendment. Should this law not be passed many low income people, including minorities, women and people of color, will be deprived of the right to self-defense. Additionally, should anyone be criminally or otherwise charged for failure to safely store their weapons due to lack of money, such persons would be unconstitutionally and illegally deprived of property due to any such charges.

25 – That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted, by the Courts of Law. This proposed law is in keeping with the exact requirements

Maryland General Assembly
Senate Judicial Proceedings Committee, 2023 Session
Testimony in Support (favorable) to SB 0655
“Income Tax - Credit for Firearm Safety Devices”
Written testimony submitted on 08 March, 2023

of this Article. It would be cruel and unusual for the State to require storage laws while simultaneously depriving low-income persons of the right to safely store their firearms for use in case of confrontation.

This bill should be passed with great haste out of committee. This law will help the State to ensure that the rights of its law-abiding citizens are respected and protected. It is in keeping with lawful governance and rule of law and it complies with the requirements of Supreme Court precedent and jurisprudence. It also restores trust in the Maryland’s elected Trustees. And, it will make sure that the right to self-defense is not a right that is only available to those that can afford its exercise.

PLEASE PASS THIS LEGISLATION WITH ALL DUE HASTE. Thank you for your consideration.

Frank Clary

08 March 2023

JPC SB655 Testimony.pdf

Uploaded by: Jill Carter

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony of Senator Jill P. Carter

In Favor of SB655 Income Tax – Credit for Firearm Safety Devices

Before the Budget and Taxation Committee

on March 9, 2023

**Chair Guzzone, Vice-Chair Rosapepe, and Members of the
Committee:**

- **SB655 is a “gun safety” bill that generally has universal support regardless of party or one’s position on the overall gun debate. This bill would establish a refundable tax credit up to \$250 for the purchase of a “firearm safety device.” I sponsored a similar bill last year, and it passed in the Senate.**
- **The Virginia legislature has recently passed (in a bipartisan manner) a similar measure which provides up to a \$300 tax credit for the purchase of a “firearm safety device.”**
- **A “firearm safety device” is defined to include a device that prevents the firearm from being operated without first deactivating the device and is designed to prevent the operation of a firearm. Such a device may include a safe, a gun safe, a gun case, lock box or other device designed to be or can be used to**

store a firearm, and is designed to be unlocked only by means of a key, a combination or other means.

- **The purpose of this Bill is to encourage safe storage by gun owners. Gun safes and other devices are designed to prevent a firearm from being operated without first deactivating the device, and are likely to be used when purchased.**
- **This year, I sponsored SB656 (hearing on 2/21/2023 before JPR) which would increase the penalty for an adult who fails to properly store or leaves a loaded firearm in a location where the person knew or should have known that an unsupervised child or certain ward would gain access to the firearm, resulting in the child or ward using the firearm and causing the death of another.**
- **As I mentioned at the hearing of SB 656, there are countless cases and situations in which children have had access to guns owned by their parents due to the failure of their parents/guardians to lock and store the guns, and otherwise prevent their children from gaining access to these dangerous weapons. Some of which, resulted in the death of others, suicide or serious bodily injury.**
- **According to a study published in the May 2018 Journal of Urban Health, as many of 4.6 million children live in a home where at least one (1) gun is kept loaded and unlocked. Also, according to a 2018 Johns Hopkins survey, more than half of gun owners do not safely store their guns in a locked gun safe, cabinet or case, locked into a gun rack, or stored with a trigger lock or other lock. Also, a study by**

Nationwide Children’s Hospital revealed that many parents believe that hiding their guns will prevent children from accessing them. However, seventy-five percent (75%) of children who live in homes with guns know where they are supposedly hidden.

- **I believe in a wholistic approach to safe gun storage, the old “carrot-and-stick approach.”**
- **The “stick” being criminal punishment for those who fail to properly store a loaded firearm in a locked location where the person knew or should have known that an unsupervised child or certain ward would gain access to the firearm.**
- **The “carrot” is this bill, by encouraging safe gun storage with a tax credit.**
- **With this holistic approach, we can save the lives of many children and otherwise prevent the harm caused by the lack of safe gun storage.**

For these reasons, I request a favorable report on SB655.

Sincerely,



Jill P. Carter, Esq.

SB 655 - NSSF Letter of Support.pdf

Uploaded by: John Pica

Position: FAV



TREVOR W. SANTOS

Director, Government Relations - State Affairs

tsantos@nssf.org | 202-220-1340 x205 | nssf.org

March 7, 2023

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West
Miller Senate Office Building
Annapolis, Maryland 21401

**SENATE BILL 655
SUPPORT**

Re: Senate Bill 655 – Income Tax – Credit for Firearm Safety Devices

Dear Chair Guzzone, Vice Chair Rosapepe, and Members of the Committee:

On behalf of the National Shooting Sports Foundation (“NSSF”), and our industry members located throughout the state of Maryland, I write today to express our support for Senate Bill 655 (“SB 655”). Senator Carter’s SB 655 would create a State income tax credit up to \$250 for the purchase of certain firearm safety devices.

As the trade association for America’s firearms, ammunition, hunting, and recreational shooting sports industry, NSSF seeks to promote, protect, and preserve hunting and the shooting sports. We represent more than 10,000 members which include federally licensed manufacturers, wholesale distributors and retailers of firearms, ammunition and related goods and accessories, as well as public and private shooting ranges, sportsmen’s clubs, and endemic media, including close to 100 businesses located in Maryland.

For more than 50 years, NSSF has encouraged gun owners to safely handle and securely store firearms, and over the last few decades, we have provided valuable resources and free firearm safety kits, including cable-style gun locks through the Project ChildSafe® program, to help prevent firearms accidents, thefts and misuse, including suicide. While we oppose mandatory storage requirements for law-abiding gun owners, recognizing that each person’s living situation may be different, we do acknowledge that promoting true firearm safety and education programs is key to preventing accidents.

Senator Carter’s SB 655 would create an incentive for law-abiding Marylanders to purchase firearm safety devices by allowing a credit of up to \$250 to one’s State income tax responsibilities. In doing so, a small barrier would be removed to one acquiring safe storage devices. The last thing members of the firearm industry want to see or hear about is their products being misused. Certainly, we can all come together to support Senator Carter’s tax credit for the purchase of firearm safety devices.

NSSF and our members are proud to have contributed to declines in firearms accidents and remain committed to further reducing incidents of unauthorized access to firearms.

It is for these reasons, the National Shooting Sports Foundation is proud to support Senator Carter’s Senate Bill 655, creating a tax credit for the purchase of firearm safety devices, and we would respectfully request a “Favorable Report.”

Sincerely,

A handwritten signature in black ink, appearing to read "T. W. Santos". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

Trevor W. Santos

Katie_Novotny_FAV_SB655.pdf

Uploaded by: Katie Novotny

Position: FAV

WRITTEN TESTIMONY OF KATIE NOVOTNY IN SUPPORT OF SB655

March 9, 2023

I am a gun owner, advocate for the right to self-defense, certified range safety officer, and a competitor in firearms competition. I support SB655.

It is very refreshing to see a firearm related bill such as this. For years, “safe storage” bills have been introduced with heavy penalties for those who do not comply. Rather this bill encourages safe storage using a carrot rather than a stick approach. It is welcome.

This bill allows for a tax credit of up to \$250 for the purchase of a “firearm safety device”. This gives welcome relief to those for whom purchasing such devices is a significant financial burden and serves as an incentive for others. It makes sense that when things are more easily obtained, that they are more likely to be used.

I would like to thank the sponsor for bringing this bill and would encourage the entire legislature to support this. These are the type of forward thinking ideas that are helpful in addressing issues in the community, rather than more threats of incarceration.

Because of these reasons above, I request a favorable report.

Respectfully,

Katie Novotny

District 35A

Katie.novotny@hotmail.com

443-617-7568

MSI Testimony on SB 655 tax credit.pdf

Uploaded by: Mark Pennak

Position: FAV



March 9, 2023

WRITTEN TESTIMONY OF MARK W. PENNAK, PRESIDENT, MSI, IN SUPPORT OF SB 655

I am the President of Maryland Shall Issue (“MSI”). Maryland Shall Issue is a Section 501(c)(4) all-volunteer, non-partisan, non-profit organization dedicated to the preservation and advancement of gun owners’ rights in Maryland. It seeks to educate the community about the right of self-protection, the safe handling of firearms, and the responsibility that goes with carrying a firearm in public. I am also an attorney and an active member of the Bar of Maryland and of the Bar of the District of Columbia. I recently retired from the United States Department of Justice, where I practiced law for 33 years in the Courts of Appeals of the United States and in the Supreme Court of the United States. I am an expert in Maryland firearms law, federal firearms law and the law of self-defense. I am also a Maryland State Police certified handgun instructor for the Maryland Wear and Carry Permit and the Maryland Handgun Qualification License (“HQL”) and a certified NRA instructor in rifle, pistol, personal protection in the home, personal protection outside the home and in muzzle loader. I appear today as President of MSI in support of SB 655.

The Bill:

The Bill would amend MD Code, Tax-General § 10-757, to create a tax credit of \$250 for up to 100% of any purchase of a “firearm safety device.” That term defined to include a device that prevents the firearm from being operated without first deactivating the device and is designed to prevent operation of a firearm. Such a device may include a safe, a gun safe, a gun case, lock box or other device designed to be or can be used to store a firearm and is designed to be unlocked only by means of a key, a combination or other means.

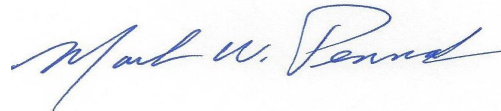
Discussion: The purpose of the Bill is to encourage safe storage by gun owners. That is a laudable goal and one that MSI fully shares and supports. The Bill does so by subsidizing the purchase of gun safes and storage devices by gun owners. That approach was taken by Senator Carter in Senate Bill 773, as amended and passed in the Senate last Session. <https://bit.ly/3JXplrU>. SB 773 created an Income Tax - Credit for Firearm Safety Devices and promoted the purchase of gun safes and other devices designed to prevent a firearm from being operated without first deactivating the device. Devices thus obtained are much more likely to be used.

SB 655 does the same and should be expedited and passed without delay. Prompt passage in the Senate might persuade the House to do likewise. We note that the Virginia legislature has already passed such legislation creating a \$300 tax credit in a bipartisan manner. See <http://bit.ly/413hNu5>. That Virginia legislation is House Bill No. 2387. See <https://lis.virginia.gov/cgi-bin/legp604.exe?231+ful+HB2387+hil>. The Governor of Virginia has until March 27, 2023, to act on the measure. Maryland should do no less.

Such an approach is not only fully constitutional but is, in our view, **much more likely** to lead to safe storage than ineffectually threatening law-abiding gun owners with prison time. As Johns Hopkins Professor Daniel Webster told this Committee in January, the data is clear that harsh penalties for mistakes and simple negligence do not deter or promote compliance. <http://bit.ly/3E0lAOB> (starting at 1:00 hr.). That reality is confirmed by the Department of Justice's National Institute of Justice. See <https://nij.ojp.gov/topics/articles/five-things-about-deterrence>. The Committee should be focused on accomplishing safe storage, not on punishment. It is past time to try something new.

We urge a favorable report.

Sincerely,

A handwritten signature in blue ink that reads "Mark W. Pennak". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Mark W. Pennak
President, Maryland Shall Issue, Inc.
mpennak@marylandshallissue.org

TESTIMONY OF MICHAEL F BURKE SB- 655.pdf

Uploaded by: Michael Burke

Position: FAV

WRITTEN TESTIMONY OF MICHAEL F BURKE, IN SUPPORT OF **SB 655**

03/08/2023

In introduction, please be informed that I am:

- * Veteran of the Armed Forces, with 21 years of Service with the US Army, as a Military Police Office, MP Investigator, and Counterintelligence Agent.
- * 25 years Law Enforcement Officer and Special Agent, at the County, State, and Federal levels.
- * Expert in Maryland Firearms Law, federal firearms law and the law of self-defense.
- * Maryland State Police Qualified Handgun Instructor QHIC-2016-0123 for the Maryland Wear and Carry Permit and the Maryland Handgun Qualification License
- * NRA Pistol Instructor, Chief Range Safety Officer
- * Subject Matter Expert in Physical Security – Certified Protection Professional (**CPP**), ASIS International
- * Firefighter, Emergency Medical Technician (EMT) with over 30 yrs. experience
- * An experienced Chief Election Judge with service over the terms of several past Governors in Maryland (speaking as a Citizen, not for the Elections Board);
- * Board Member of Maryland Shall Issue (“MSI”)

I appear today in SUPORT OF SB 655.

The Bill:

This Bill is very simple. Authorizing a credit against the State income tax for the purchase of certain firearm safety devices in an amount equal to the lesser of 100% of the purchase price or \$250 during the taxable year; making the credit refundable; requiring proof of purchase to be provided to the Comptroller for a firearm safety device for which an individual is claiming a credit; and applying the Act to all taxable years beginning after December 31, 2022.

The US Constitution affirms (not grants) the right of the PEOPLE (not just citizens, not just adults) to keep and bear arms. This proposed legislation flies in the face of the Constitution and is in direct contravention of the orders of the Supreme Court.

As a teenager myself, I carried a rifle, a machine gun, AND a handgun as a soldier and Military Police officer from age 18 to 21. I was entrusted by the US and State governments to stand watch and to go to war for over 21 years.

Michael F Burke, CPP. P.O. Box 23111, Baltimore, MD 21203 – (443) 757 4693

The US Constitution affirms (not grants) the right of the PEOPLE (not just citizens, not just adults) to keep and bear arms. This proposed legislation flies in the face of the Constitution and is in direct contravention of the orders of the Supreme Court.

This bill provides a POSITIVE incentive for all citizens who own firearms to obtain and USE appropriate safety locks and devices in their homes and businesses, when the firearm is not actively in use.

I urge the Committee to issue a FAVORABLE report on this bill.

Michael F Burke, CPP



SB0655_Nicholas_DeTello.pdf

Uploaded by: Nicholas DeTello

Position: FAV

Nick DeTello

SB0655 - Income Tax - Credit for Firearm Safety Devices

Favorable

3/8/2023

As a Maryland constituent, student, and civil rights advocate, I frequently find myself testifying against gun bills in Annapolis. The Maryland General Assembly's status-quo has consisted of new legislation that would heavily impact firearm ownership/do nothing to crime, amend the expected jailtime from decades (even centuries) to years, ignore fundamental concerns brought up in testimony, pass the bill. Rinse and repeat. Last year's [Untraceable Firearms](#) ban was no exception; as I predicted in testimony, in 2023 3D printed firearms are effectively banned in MD with no recompense. SB0655 is a welcome, much-needed exception to the status quo – I urge a favorable report.

SB0655 would allow individuals to claim a tax credit up to \$250 towards devices to safely store firearms. This relief is not only welcome, it's much needed; for scale, the cheapest fireproof safe at [Cabelas](#) is \$500. For most prospective gunowners, securing a weapon would be far more viable if doing so was not so costly. Instead of playing a game of chutes and ladders via some new vague restriction, the MGA could make direct changes that would benefit society. The scope of the impact here is very clearly defined, has no victim, and is extremely difficult to misinterpret by the layman; buy a safe, get a refund.

For these reasons I urge a favorable report of Senate Bill 0655.



Nicholas DeTello

District 44B

ndetello@hotmail.com