

**ANTHONY G. BROWN**  
*Attorney General*



**CANDACE McLAREN LANHAM**  
*Chief of Staff*

**CAROLYN A. QUATTROCKI**  
*Deputy Attorney General*

**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**

FACSIMILE NO.  
(410) 576-7036

WRITER'S DIRECT DIAL NO.  
(410) 576-6584

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**TO:** The Honorable William C. Smith Jr.  
Chair, Judicial Proceedings Committee

**FROM:** Office of the Attorney General

**RE:** SB0656 – Criminal Law – Failure to Property Store Firearm – Death of Another (Support)

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The Office of Attorney General supports Senate Bill 656 and urges the Committee to favorably report this commonsense gun storage legislation. If enacted, SB 656 would increase the penalty for an adult who legally possesses a firearm and fails to properly secure the loaded firearm in a location whether they knew or should have known that a child for whom they have custodial authority could gain access to the firearm and where the child uses the firearm causing death to another.

The over-proliferation of firearms is a national scourge. Moreover, hapless gun owners who leave their loaded firearms where children can obtain them and wreak havoc on themselves or others is a significant problem. The current penalty for reckless endangerment is a mere \$1,000, with no jail time. Senate Bill 656 would amend Md. Crim Law Code §4-404, by increasing the penalty for adults who fail to properly store their guns to prevent access to children, when the child uses the gun and causes the death of another. Instead of a misdemeanor punishable by only by a fine not exceeding \$1,000, the penalty would be a felony punishable by imprisonment not exceeding ten (10) years and/or a fine not exceeding \$10,000.

We believe Senator Carter's legislation makes good sense and will ultimately save lives. For the foregoing reasons, we urge a favorable report on SB 656.

cc: Committee Members

This bill letter is a statement of the Office of Attorney General's policy position on the referenced pending legislation. For a legal or constitutional analysis of the bill, Members of the House and Senate should consult with the Counsel to the General Assembly, Sandy Brantley. She can be reached at 410-946-5600 or sbrantley@oag.state.md.us