

OPPOSE SB1: Criminal Law - Wearing, Carrying, or Transporting Firearms - Restrictions (Gun Safety Act of 2023)

Despite its name, the “Gun Safety Act of 2023” contains no provision that promotes, facilitates, or advances safety with guns. That misnomer is a façade for a bill that will ensnare citizens in a legal trap – the very people who have never been a problem and never will be. The people who have undergone training, been investigated and certified by the Maryland State Police as qualified to carry a firearm. This bill subjects us to imprisonment for having done no wrong. SB1’s title masks the intent of the bill – to prohibit the right of persons licensed by the Maryland State Police to carry outside the home. **I urge you to oppose it.**

The bill enacts restrictions so broad as to nullify the right, and that is by design. That is its intent. It does so despite the clear language that Supreme Court Justices used in their opinions in the recent case *New York State Rifle & Pistol Association v. BRUEN*. The Justices anticipated exactly this kind of legislative nullification of the right by States hostile to the 2nd Amendment. The Court made clear that arbitrary prohibition on the right throughout large swathes of territory is unconstitutional. SB1 flies directly in the face of that Supreme Court decision that clarified the right to carry outside the home. Yet SB1 deliberately puts in place “no-go” zones that permeate every city, every street, and every neighborhood with the express purpose of nullifying the right to carry outside the home.

How does this bill manage to quash the right to carry? By picking out places its authors know are found everywhere – by drawing a circle around each of them that extends 100 feet and declaring that any licensee carrying who comes within any of these omnipresent “no-go” zones is in violation of the law and subject to imprisonment.

The bill’s language prohibits the wear, carry, or transport of a firearm within 100 feet of a place of “public accommodation”. But what is a PLACE of public accommodation? It’s essentially EVERY PLACE. It is any one of the hundreds of thousands of places where normal functions of society occur. Most places that have been created by humans become a “no-go” zone under SB1.

How many “no-go” zones are there that merely passing within 100 feet of will put a person in jail?

- **Restaurants:** Maryland has 11, 178 of them.ⁱ And that’s just restaurants. Throw in the bill’s additionally defined “no-go” zones that include “*cafeterias, lunchrooms, lunch counters, soda fountains*”, and the number easily doubles to over **TWENTY-THOUSAND**.
- Retail establishments: meaning a **STORE** or a **gas station**. How many thousands of “no-go” zones? Easily over **FIFTY THOUSAND**.
- Theaters, **stadiums, sports arenas**, or other? What’s a “**place of entertainment**”? Suffice it to say the number is in the THOUSANDS.
- “...other **place of exhibition or entertainment**...”: What’s that? Under this bill, if you are outside your home, and you hear a joke, you have just been entertained, and under the bill, you are in “a place of entertainment” – a “no-go” zone. You go to jail and lose your right to own firearms permanently.

Wouldn’t a person be able to exercise their right by simply avoiding these “*places of public accommodation*”? Can any person move freely about while staying 100 feet from a restaurant, cafeteria, theater, hotel, motel, store, gas station, stadium, concert hall, or place of entertainment? No, no free person can do so for more than a couple of minutes, nor should any citizen of the Free State be threatened with prison for doing so. I urge you to OPPOSE SB1.

Sincerely,
Charles Regan
Ijamsville MD

¹ <https://restaurant.org/getmedia/6999ed46-c555-4f75-a521-b5202895beca/Maryland.pdf>