



State of Maryland
Department of State Police
Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: March 29, 2023

BILL NUMBER: Senate Bill 0001 **POSITION:** Letter of Information

BILL TITLE: Criminal Law – Wearing, Carrying, or Transporting Firearms – Restrictions (Gun Safety Act of 2023)

REVIEW AND ANALYSIS

This legislation seeks to prohibit the wearing, carrying or transporting of a firearm on the real property of another without the express permission of the other. The legislation also prohibits the wearing, carrying, or transporting a firearm within an area for children or vulnerable individuals or a government or public infrastructure area as defined in the bill.

Under current law, a person may not carry a firearm in the following areas:

1. On school property ([CR 4-102](#))
2. Within 1,000 feet of a demonstration in a public place ([CR 4-208](#))
3. In legislative buildings ([SG 2-1702](#))
4. Aboard aircraft ([TR 5-1008](#))
5. In lodging establishments where the innkeeper reasonably believes individuals possess property that may be dangerous to other individuals, such as firearms or explosives ([BR 15-203](#))
6. On dredge boats, other than two 10 gauge shotguns ([NR 4-1013](#))
7. In or around State-owned public buildings and grounds ([COMAR 04.05.01.03](#))
8. On Chesapeake Forest Lands ([COMAR 08.01.07.14](#))
9. In State Forests ([COMAR 08.07.01.04](#))
10. In State Parks ([COMAR 08.07.06.04](#))
11. In State Highway Rest Areas, unless properly secured within vehicle ([COMAR 11.04.07.12](#))
12. In community adult rehabilitation centers ([COMAR 12.02.03.10](#))
13. In child care centers, except for small centers located in residences, firearms may not be kept on the premises ([COMAR 13A.16.10.04](#))

Senate Bill 1 expands the list of restricted areas a person is prohibited from carrying a firearm. The amendments do not go far enough to exempt those professions covered under existing law from carrying a firearm with a handgun permit. The legislation does not exempt private detectives, federal contractors, special agents of the railroad, armored car personnel, or special police officers. Currently, the Supreme Court of Maryland uses special police officers for security.

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Although the Bruen decision eliminates the need for a “good and substantial reason” to carry a firearm, this legislation makes it a crime for those who had a good reason to carry a firearm prior to Bruen to carry a firearm to protect themselves.

Maryland law does not recognize handgun permits from other states. This position does not change as a result of the Bruen decision.