



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

**POSITION ON PROPOSED LEGISLATION**

**DATE:** February 7, 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 with 100 feet of a place of public accommodation as defined in law.

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 to almost everywhere but the firearm owner's residence. However, the legislation does not exempt public safety personnel such as police officers both on and off duty, police officers from other states within Maryland on official business, active military personnel, security guards, private detectives, federal contractors, correctional officers, special agents of the railroad, armored car personnel, or special police officers.

The legislation doesn't consider those permit holders who received a wear and carry permit for a "good and substantial reason" prior to the issuance of the Bruen decision. As an example, judges, state's attorneys, victims of crime or domestic violence, and legislators to name a few, have applied for and received handgun permits due to direct threats against their lives. There are thousands of permit holders who received a permit for business purposes who transport money, bonds, or precious jewels.

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

**POSITION ON PROPOSED LEGISLATION**

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. Laws similar to SB 1 have passed in New York and are currently in litigation in Federal court.