

## Testimony for Unfavorable Finding for SB1 of 2023

Earle A. Sugar  
27 March, 2023

SB1 of 2023 is a bill fatally flawed at its inception, an emotionally driven action to intended flout a decision of the United States Supreme Court that some members of the Maryland General Assembly vehemently disagree with. However, *NSYRPA v Bruen* is now settled law and it is the responsibility of the Government of Maryland to see that it is carried out both in word and intent.

There are myriad reasons this bill, even in its current form as passed to the House, is incompatible with *Bruen*. But instead of trying to superficially touch all of its problems, I am choosing two that will result in an actual decrease in public safety, the opposite of the bill's supposed intent. These issues are:

1. The bill's ban on licensed carry in businesses or at events that have a license to serve alcohol for on-site consumption, and
2. Injuries due to otherwise unnecessary firearms handling.

Few sane people would argue that people under the influence of alcohol should operate cars or firearms. However this bill makes no distinction between those who consume, and those who are merely present in the same building as alcohol service, even if for a fleeting moment. And it's not just alcohol-serving businesses; in many locales, any social event that serves alcohol such as a company picnic, wedding, or club meeting requires a temporary liquor license and would therefore become a no-go zone both under the bill as proposed, and as a result, might lead to charges under Public Safety Article 4-203 which invalidates a carry permit in locations where carry is barred, with resulting multi-year prison sentences for violators. And an unlawful carry offense under 4-203 is a strict liability offense, so even someone unaware they are somewhere their permit is invalid under SB1's newly defined prohibited places could be charged.

As a result, those who need, as a matter of circumstance, or choose as is their right, to carry a concealed firearm, will need to be constantly aware of the status of their location. And if they are carrying, say because they are an abused spouse who is under physical threat from her abuser, they will need to remove and secure their firearm before entering the prohibited area.

Anyone who actually understands how firearms function would recognize the inherent danger in gratuitously handling a handgun. A handgun that stays in a holster, untouched, is perfectly safe. It harms no one in that state. However, there are thousands of documented instances, including among highly trained law enforcement officers, of unintended discharges while holstering and unholstering a firearm. I know a trained military officer who had such a discharge due to unnecessary handling, resulting in a luckily non life-threatening injury. This bill will dramatically increase the amount of firearms handling in Maryland in order to maintain compliance, and will almost certainly result in injuries and even deaths as a result of accidental pulling of a trigger while removing a firearm from a holster to secure it for no other purpose than to comply with SB1. Is this the intent of the bill's sponsors? Because it *will* be an effect.

There will also be increased theft of firearms secured outside a location in order to comply with SB1. Even supporters of this bill have warned of this result. A stolen gun is, by definition, a crime gun, and its thief certainly will not intend to use it for a lawful purpose. No locking device is theft

proof, if the thief has any combination of adequate time, wherewithal, and/or tools. This bill guarantees an increase in successful firearms theft attempts as thieves will know prohibited locations and can stake them out, observing law abiding people securing their lawfully-carried firearms before entry. Is this likely result an intent of this bill's sponsors? Because it almost certainly will happen.

Therefore, for the reasons stated above, and many others, I am opposed to this bill and strongly urge the House Judiciary Proceedings Committee to issue an unfavorable report for Senate Bill 1 of 2023.

Very Respectfully,  
Earle A. Sugar  
1052 Marywood Dr  
Davidsonville, MD 21035-1202  
easugr@gmail.com