



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

POSITION ON PROPOSED LEGISLATION

DATE: March 8, 2023

BILL NUMBER: House Bill 704 **Position:** Letter of Information

BILL TITLE: Firearms – Tracking Technology

REVIEW AND ANALYSIS

This legislation prohibits a person from engaging in a bulk firearm transfer unless each firearm that is part of the transfer is embedded with an electronic tracker. The Maryland Department of State Police (MDSP) is required to establish a database to capture the unique tracking information on every firearm as well as approve the equipment used for scanning and recording the unique tracking information.

Under current law, the manufacture, shipping and importation of firearms is overseen by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATFE). This is a federal government agency. The Maryland Department of State Police is responsible for regulating the sale and transfer of regulated firearms to individuals. Rifle and shotgun sales or transfers are regulated by the FBI.

House Bill 704 requires every firearm as part of a bulk purchase transferred in or through this state to have the electronic tracker embedded in the firearm. The tracker has to be able to communicate with the MDSP. In accordance with the bill, the tracker would have to be embedded at the manufacturer to ensure every firearm passing through or manufactured in Maryland complied. This includes military sales, law enforcement sales, transfers of firearms from a distributor or manufacturer to the Port for shipping, etc. This bill covers millions of firearms. While the MDSP does support the recording of regulated firearms sales or transfers at the point of sale, the ATFE is the responsible government agency for regulating the shipping and transfer of bulk firearms.

HB 704 creates an impossible task for the MDSP to complete. MDSP does not possess the technology or expertise to be able to ensure all firearms crossing our borders have this tracking technology.