



2A Maryland

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**House Bill 580
Election Law – Polling Sites – Firearms Prohibitions
UNFAVORABLE**

House Bill 580 seeks to make illegal the simple possession a firearm within a certain distance of a polling site on election day. Most of the State’s polling sites are in schools and firearms are already prohibited. Approximately 18 of the 312 traditional “brick & mortar” polling sites will be impacted.

However, because the term “polling site” is not defined, this Bill casts a wide net to snare innocent citizens. Potentially all election ballots drop box locations, and postal service street corner mailboxes, parking lots, adjacent public streets and private dwellings could become unmarked prohibited areas of undetermined size and boundaries. The true extent of the impact this Bill will not be known until the Board of Elections determines where the drive through ballot boxes will be located.¹

While there is protection in the Bill for individuals whose residence is within 100 feet of a polling place, that protection applies only in the brief period the individual is “transferring the firearm to the individual’s residence or vehicle within 100 feet of the polling place.” Possession of a firearm within a residence which is located within 100 feet of a polling site is not exempted and is thus prohibited. This effectively eliminates the protections contained in §16-904 (C)(2) and may well violate recent United States Supreme Court rulings addressing the possession of a firearm in the home.

House Bill 0580
Unfavorable

Violating §16-904 (D) subjects an individual to prosecution for a civil offense punishable by a fine; but the fine applies only if the offender unknowingly violates the law. Intentional violations are not even addressed. Thus, it appears that the true impact of House Bill 580 will be to harass and intimidate the law-abiding gun owner. This amounts to nothing less than government sponsored voter suppression.

House Bill 580 is a solution to an imagined but non-existent problem. It is unenforceable for all practical intents and does not address the intentional violation should that ever occur. Sufficient laws are already in place, House Bill 580 is unnecessary and misguided.

We respectfully request an unfavorable report on House Bill 580.

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1. <https://elections.maryland.gov/voting/absentee.html>