



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

POSITION ON PROPOSED LEGISLATION

DATE: January 31, 2024

BILL NUMBER: House Bill 315 **POSITION:** Letter of Information

BILL TITLE: Regulated Firearms – Department of State Police – Reporting Requirements

REVIEW AND ANALYSIS

This legislation requires the Maryland Department of State Police (MDSP) to report to the Governor and the Maryland General Assembly on the number of charges, convictions and sentences for the illegal wearing and carrying or transporting of a handgun and possessing of a regulated firearm by a person under the age of 21. The information included in the report shall be disaggregated by jurisdiction, race, and gender.

Under current law, Criminal Procedure Article §6-215, the Maryland State Commission on Criminal Sentencing Policy is required to generate a similar report on the number of charges, convictions and sentences for the illegal wearing and carrying or transporting of a handgun and possessing of a regulated firearm by a person under the age of 21. The report is to be broken down by jurisdiction, race, and gender.

Current law, Ch 491 of the 2020 session and Ch 651 of the 2021 session, requires the Attorney General to study and identify information relating to gun crimes including but not limited to injuries, fatalities and crime firearms. The report also includes crimes committed with crime firearms by jurisdiction, the number of charges and convictions for crimes of violence, illegal transfers, illegal possession, etc.

House Bill 315 repeals the reporting requirements placed on the Commission because the Commission has let it be known that they are not able to compile the data and generate the report. Unfortunately, the transfer of the responsibility for the report to the MDSP does not solve this problem. The MDSP does not have access to arrest, charges, or sentencing information of every person charged with the requisite crimes. Nor do we have access to name, race, gender, and jurisdiction of those persons arrested or convicted.

MDSP has spoken to the sponsor of the bill and we are in agreement that the bill should be amended to place the responsibility for the report with another agency.