



House Bill 546

**Handgun Permits - Accidental Discharge and Training Requirements - Maryland
State Police Gun Center (Firearm Safety Act of 2024)**

UNFAVORABLE

House Bill 546 seeks to impose mandatory training requirements the event a person experiences an accidental discharge of a firearm which results in property damage, injury, or death. It further requires law enforcement agencies to report various information on accidental discharges to the Maryland State Police Gun Center.

The rationale for this Bill is unclear and it amounts to discrimination by legislation:

- If the person who experiences an accidental discharge which results in property damage, injury or death does not have a carry permit, this bill does not apply.
- If a law enforcement officer who does not have a carry permit experiences an accidental discharge which results in property damage, injury or death, this bill does not apply.
- If a law enforcement officer who has a LEOSA carry permit experiences an accidental discharge which results in property damage, injury or death, this bill does not apply.
- However, this bill does apply if the person who experiences an accidental discharge which results in property damage, injury or death does have a carry permit issued by the Secretary.

In the event of an accidental discharge resulting in property damage, injury or death, the permit holder must:

- Register for a certified safety training course within 90 days of the incident.
- Successfully complete the safety training course within 6 months of the incident.

House Bill 546
Unfavorable

If the person fails to complete the required training, the Secretary shall revoke the person's permit. For the Secretary to take any action, the Secretary must first know the accidental discharge occurred and when it occurred.

Unless there is an injury or death, it is highly unlikely that the person will do anything. Nor can a person be compelled to do so as the action will compromise the person's rights under the 5th Amendment.

There is no requirement that instructors report the training to the Maryland State Police, or any local law enforcement agency. Nor is there any mechanism whereby the instructor can make such a report.

The requirement that law enforcement agencies report accidental discharges to the Maryland State Police Gun Center is problematic. Three years ago, the Maryland General Assembly passed HB 1186 which required the Attorney General to study and report on firearm crimes, firearm injuries/fatalities, and crime firearms. Attached to this testimony are pages from those reports which demonstrate the problem with obtaining information from the various law enforcement agencies because they either fail to capture data or fail to respond to requests for information. This leads to the obvious questions: Of what practical use is incomplete information? Even if you had complete information what would you do with it to justify the time, effort, and half-million-dollar cost?

This bill is simply a misguided and ill-considered response to the Bruen decision. According to the Maryland State Police, as of December 31, 2023, there were 175,632 active carry permits in Maryland. If accidental discharges were a significant problem, the Maryland State Police would already know about them.

We strongly urge an unfavorable report on House Bill 546.

John H. Josselyn
2A Maryland
02/21/2024

Attachment

Public Safety Article 5-101

(g) “Disqualifying crime” means:

- (1) a crime of violence;
- (2) a violation classified as a felony in the State; or
- (3) a violation classified as a misdemeanor in the State that carries a statutory penalty of more than 2 years.

(h) (1) “Firearm” means:

- (i) a weapon that expels, is designed to expel, or may readily be converted to expel a projectile by the action of an explosive;
- (ii) the frame or receiver of such a weapon; or
- (iii) an unfinished frame or receiver, as defined in § 5–701 of this title.

(2) “Firearm” includes a starter gun.

(i) “Firearm applicant” means a person who makes a firearm application.

(j) “Firearm application” means an application to purchase, rent, or transfer a regulated firearm.

(k) “Fugitive from justice” means a person who has fled to avoid prosecution or giving testimony in a criminal proceeding.

(l) “Habitual drunkard” means a person who has been found guilty of any three crimes under § 21–902(a), (b), or (c) of the Transportation Article, one of which occurred in the past year.

(m) “Habitual user” means a person who has been found guilty of two controlled dangerous substance crimes, one of which occurred in the past 5 years.

(n) (1) “Handgun” means a firearm with a barrel less than 16 inches in length.

(2) “Handgun” includes signal, starter, and blank pistols.

(o) “Handgun qualification license” means a license issued by the Secretary that authorizes a person to purchase, rent, or receive a handgun.

FIREARM INJURIES, FATALITIES, AND CRIME FIREARM STUDY

MSAR # 13276 – Firearm Crimes, Firearm Injuries/Fatalities, and
Crime Firearms (HB 1186, 2021)

MSAR # 12584 – Firearm Crimes, Firearm Injuries/Fatalities, and
Crime Firearms (HB 1629, 2020)

Appendix A. Nonresponsive LEAs as of December 7, 2021

LEA	County
Annapolis City Police Department	Anne Arundel County
Baltimore City Community College Department of Public Safety	Baltimore City
Baltimore City Public Schools Police	Baltimore City
Baltimore City Sheriff's Department	Baltimore City
Baltimore County Sheriff's Office	Baltimore County
Baltimore Environmental Police	Baltimore County
Berwyn Heights Police Department	Prince George's County
Boonsboro Police Department	Washington County
Bowie State University Department of Public Safety	Prince George's County
Cambridge Police Department	Dorchester County
Capitol Heights Police Department	Prince George's County
Colmar Manor Police Department	Prince George's County
Coppin State University Department of Public Safety	Baltimore City
Department of General Services	Baltimore City
District Heights Police Department	Prince George's County
Fairmount Heights Police Department	Prince George's County
Federalsburg Police Department	Caroline County
Forest Heights Police Department	Prince George's County
Frostburg City Police Department	Allegany County
Garrett county State's Attorney	Garrett County
Gibson Island Police Department	Anne Arundel County
Glenarden Police Department	Prince George's County
Hagerstown City Fire Marshal	Washington County
Hagerstown Police Department	Washington County
Howard County Sheriff's Office	Howard County
Landover Hills Police Department	Prince George's County
Lonaconing Police Department	Allegany County
Luke Police Department	Allegany County
Maryland Motor Vehicle Administration	
Maryland Natural Resources Police	
Maryland State Forest & Park Services	
Morgan State University Police and Public Safety Department	Baltimore City
Morningside Police Department	Prince George's County
Mount Rainier Police Department	Prince George's County
Ocean Pines Police Department	Worcester County
Oxford Police Department	Talbot County
Prince George's County Public Schools	Prince George's County

LEA	County
Prince George's County Sheriff's Office	Prince George's County
Rising Sun Police Department	Cecil County
Rockville City Police Department	Montgomery County
Salisbury University Police Department	Wicomico County
Smithsburg Police Department	Washington County
Spring Grove Hospital Center Police	Baltimore County
Taneytown Police Department	Carroll County
University of Maryland Eastern Shore Department of Public Safety	Somerset County
University of Baltimore Police Department	Baltimore City
University Park Police Department	Prince George's County
Worcester County Fire/Explosive Investigator	Worcester County
Worcester County State's Attorney	Worcester County

Appendix A: Law Enforcement Agencies

Non-Responsive LEAs

1. Baltimore City School Police
2. Baltimore Environmental Police
3. Brentwood Police Department
4. Cottage City Police Department
5. District Heights Police Department
6. Edmonston Police Department
7. Landover Hills Police Department
8. Morgan State University Police Department
9. Rising Sun Police Department

Responding Agencies

1. Aberdeen Police Department
2. Allegany County Sheriff's Office
3. Annapolis Police Department
4. Anne Arundel Community College Public Safety & Police
5. Anne Arundel County Police Department
6. Anne Arundel County Sheriff's Office
7. Baltimore City Community College
8. Baltimore City Police Department
9. Baltimore County Police Department
10. Bel Air Police Department
11. Berlin Police Department
12. Berwyn Heights Police Department
13. Bladensburg Police Department
14. Boonsboro Police Department
15. Bowie Police Department
16. Bowie State University
17. Brunswick Police Department
18. Calvert County Sheriff's Office
19. Cambridge Police Department
20. Capitol Heights Police Department
21. Caroline County Sheriff's Office
22. Carroll County Sheriff's Office
23. Cecil County Sheriff's Office
24. Centreville Police Department
25. Charles County Sheriff's Office
26. Chestertown Police Department
27. Cheverly Police Department
28. Chevy Chase Village Police Department
29. Colmar Manor Police Department
30. Coppin State University of Police Department
31. Crisfield Police Department
32. Crofton Police Department
33. Cumberland Police Department
34. Delmar Police Department
35. Denton Police Department
36. Dorchester County Sheriff's Office
37. Easton Police Department
38. Elkton Police Department
39. Fairmount Heights Police Department
40. Federalsburg Police Department
41. Forest Heights Police Department
42. Frederick City Police Department
43. Frederick County Sheriff's Office
44. Frostburg City Police Department
45. Frostburg State University Police Department
46. Fruitland Police Department
47. Gaithersburg Police Department
48. Garrett County Sheriff's Office
49. Gibson Island Police Department

50. Glenarden Police Department
51. Greenbelt Police Department
52. Greensboro Police Department
53. Hagerstown Community College
54. Hagerstown Police Department
55. Hampstead Police Department
56. Hancock Police Department
57. Harford County Sheriff's Office
58. Havre de Grace Police Department
59. Howard County Police Department
60. Howard County Sheriff's Office
61. Hurlock Police Department
62. Hyattsville Police Department
63. Kent County Sheriff's Office
64. La Plata Police Department
65. Laurel Police Department
66. Manchester Police Department
67. Maryland Capitol Police Department
68. Maryland Natural Resources Police
69. Maryland State Police
70. Maryland Transit Administration
71. Maryland Transportation Auth. Police
72. Maryland-National Capital Park Police
- Montgomery County Division
73. Maryland-National Capital Park Police
- Prince George's County Division
74. Montgomery Co. Fire & Explosives Inv.
Sect.
75. Montgomery County Police
Department
76. Montgomery County Sheriff's Office
77. Morningside Police Department
78. Mount Airy Police Department
79. Mount Rainier Police Department
80. New Carrollton Police Department
81. North East Police Department
82. Oakland Police Department
83. Ocean City Police Department
84. Ocean Pines Police Department
85. Oxford Police Department
86. Perryville Police Department
87. Pocomoke City Police Department
88. Prince George's County Community
College Department of Public Safety
89. Prince George's County Police
Department
90. Prince George's County Sheriff's Office
91. Princess Anne Police Department
92. Queen Anne's County Sheriff's Office
93. Ridgely Police Department
94. Riverdale Park Police
95. Rock Hall Police Department
96. Rockville City Police Department
97. Saint Mary's County Sheriff's Office
98. Saint Michael's Police Department
99. Salisbury City Police Department
100. Salisbury University Police Department
101. Seat Pleasant Police Department
102. Smithsburg Police Department
103. Snow Hill Police Department
104. Somerset County Sheriff's Office
105. Sykesville Police Department
106. Takoma Park Police Department
107. Talbot County Sheriff's Office
108. Taneytown Police Department
109. Thurmont Police Department
110. Towson University Police Department
111. University of MD Baltimore County
Police Department
112. University of MD Baltimore Police
Department
113. University of MD College Park Police
114. University of MD Eastern Shore
Department of Public Safety
115. University Park Police Department
116. Upper Marlboro Police Department
117. Washington County Sheriff's Office
118. Washington Metropolitan Area Transit
Authority
119. Washington Suburban Sanitary
Commission
120. Westminster Police Department
121. Wicomico County Sheriff's Office
122. Worcester County Sheriff's Office

Excluded Agencies

1. Allegany County Bureau of Police
2. Annapolis Fire/Explosive Investigation Unit
3. Anne Arundel County Fire/Explosive Investigator
4. Anne Arundel Community College Justice Institute
5. Anne Arundel County Police Academy
6. Baltimore City Police Academy
7. Baltimore City Sheriff's Office
8. Baltimore County Police Academy
9. Baltimore County Sheriff's Office
10. Community College of Baltimore County
11. Comptroller of Maryland
12. Department of General Services
13. Department of Health and Mental Hygiene (DHMH) - Clifton T. Perkins Hospital Center
14. DHMH - Eastern Shore Hospital Center
15. DHMH - Holly Center
16. DHMH - Potomac Center
17. DHMH - Spring Grove Hospital Center
18. DHMH - Springfield Hospital Center
19. DHMH - Thomas B. Finan Center
20. Division of Rehabilitation Services Police
21. Division of Probation and Parole
22. Dorchester States Attorney's Office
23. Eastern Shore Criminal Justice Academy
24. Frederick City Police Academy
25. Frederick County Sheriff's Academy
26. Garrett County State's Attorney
27. Hagerstown City Fire Marshal
28. Harford County Sheriff's Academy
29. Howard County Police Academy
30. Lonaconing Police Department
31. Luke Police Department
32. Maryland Alcohol and Tobacco Commission Field Enforcement Division
33. Maryland Comptroller Field Enforcement
34. Maryland Department of Labor, Licensing & Regulations
35. Maryland Motor Vehicle Administration
36. Maryland Natural Resources Police Academy
37. Maryland State Fire Marshal
38. Maryland State Forest & Park Service
39. Maryland State Police Academy
40. Maryland Transportation Authority Academy
41. Maryland Wildlife and Heritage Service
42. Maryland-National Capital Park and Planning Commission
43. Maryland Department of Public Safety and Correctional Services Intelligence Investigative Division
44. MD Police & Correctional Training Commission PELT Academy
45. Montgomery County Police Academy
46. Port Deposit Police Department
47. Prince George's Co. Fire Investigator
48. Prince George's County Police Academy
49. Prince George's County Public Schools
50. Prince George's County State's Attorney
51. Prince George's Municipal Police Academy
52. Saint Mary's College of Maryland
53. Trappe Police Department
54. University of Baltimore Police Department
55. University of Maryland Police Academy
56. Worcester County Fire/Explosive Investigator
57. Worcester County State's Attorney

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3. Brentwood Police Department
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5. District Heights Police Department
6. Fairmount Heights Police Department
7. Forest Heights Police Department
8. Frostburg City Police Department
9. Montgomery County Sheriff's Office
10. Morgan State University Police Department
11. Washington Suburban Sanitary Commission
12. Wicomico County Sheriff's Office

Responding Agencies

1. Aberdeen Police Department
2. Allegany County Sheriff's Office
3. Annapolis Police Department
4. Anne Arundel C C Public Safety & Police
5. Anne Arundel County Police Department
6. Anne Arundel County Sheriff's Office
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10. Baltimore Environmental Police
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| 43. Frostburg State University Police
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| 61. John's Hopkins Police Department &
Public Safety | 93. Rising Sun Police Department |
| 62. Kent County Sheriff's Office | 94. Riverdale Park Police |
| 63. La Plata Police Department | 95. Rock Hall Police Department |
| 64. Landover Hills Police Department | 96. Rockville City Police Department |
| 65. Laurel Police Department | 97. Saint Mary's County Sheriff's Office |
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| | 107. Talbot County Sheriff's Office |

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