



**Senate Bill 0336
Gun Theft Felony Act of 2025
FAVORABLE**

During multiple Sessions over the last decade, bills which would elevate the severity of firearm theft above the level of a simple misdemeanor theft of property have been considered and rejected by the Maryland General Assembly.

Under existing law, the penalty for the theft of firearms is based on the value of the property stolen. The theft of an inexpensive but fully functional firearm with a value under \$100 is a misdemeanor offense punishable by up to 90 days imprisonment or a fine not exceeding \$500 or both.

For a first offense, a person who steals multiple fully functional firearms with a combined value of less than \$1,500 is guilty of only a misdemeanor and subject to imprisonment not exceeding 6 months or a fine not exceeding \$500 or both. A conviction for this offense does not result in prohibiting the offender from legally owning a firearm.

For a second or subsequent offense, a person who steals multiple fully functional firearms with a combined value of less than \$1,500 is guilty of only a misdemeanor and subject to imprisonment not exceeding 1 year or a fine not exceeding \$500 or both. This offense also does not result in prohibiting the offender from legally owning a firearm.

Firearms theft does not reach the level of a felony until the value exceeds \$25,000.

The mere possession of a home-built un-serialized firearm is a misdemeanor offense and upon conviction a person is subject to imprisonment for up to 5 years or a fine not exceeding \$10,000 or both. A conviction results in a lifetime prohibition on owning or possessing a firearm. This penalty makes stealing a fully functioning factory-built firearm rather than building a so-called “ghost gun,” a far more attractive option.

Senate Bill 0336
Favorable

There are multiple provisions in Maryland's gun control laws which provide for much harsher penalties for simple "paper" infractions which involve no criminal intent, much less actual criminal actions. Why does the State punish an otherwise law-abiding citizen more severely than a criminal who is supplying stolen firearms to other criminals?

Senate Bill 336 treats the theft of a firearm as the serious crime it is and places the focus on the criminal and the criminal behavior involved in the theft of a firearm. Once stolen, a firearm is no longer in the stream of lawful commerce and will only be possessed, transferred, or used in violation of the law. It is time for the Maryland General Assembly to recognize the severity of crimes involving the theft of a firearm.

Elevating the severity of firearms theft from a simple misdemeanor to a felony offense with significant penalty provisions is not only appropriate but necessary. Further, the penalty provisions should be increased to reflect the severity of the crime.

We strongly urge a favorable report on Senate Bill 336.

Respectfully,

John H. Josselyn
2A Maryland
01/30/2025