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February 12, 2025

TO: The Honorable Delegate Luke Clippinger
Chair, Judiciary Committee

FROM: Tiffany Clark
Chief, Legislative Affairs, Office of the Attorney General

RE: House Bill 353 - Public Safety - Handgun Permit Requirement - Repeal
(Maryland's Constitutional Carry Act of 2025) - **Oppose**

The Office of the Attorney General (OAG) urges an unfavorable report on **House Bill 353** – Public Safety - Handgun Permit Requirement - Repeal (Maryland's Constitutional Carry Act of 2025). **House Bill 353** repeals (1) the requirement that a person have a handgun permit before the person carries, wears, or transports a handgun in the State, (2) the corresponding requirements and procedures related to the issuance of handgun permits, and (3) the criminal penalties for violations relating to the failure to follow requirements and procedures relating to a handgun permit, among other things.

House Bill 353 is inconsistent with the long-standing position that the OAG has taken that carry permits are necessary to promote public safety and are the main framework the State uses to regulate guns. **House Bill 353** would also eliminate background checks and training requirements and would essentially make Maryland a permit-free State in which anyone 21 or older could carry a handgun.

It is OAG's position that these changes, particularly those made to § 4-203 of the Criminal Law Article, will weaken the State's gun laws by deteriorating the deterrence mechanisms that encourage people to obtain proper permits and training. **House Bill 353** will also have a strong negative impact on current and future gun-related litigation by substantially increasing the difficulty of meeting the burden of proof.

For these reasons, the Office of the Attorney General urges an unfavorable report on **House Bill 353**.

This bill letter is a statement of the Office of Attorney General's policy position on the referenced pending legislation. For a legal or constitutional analysis of the bill, Members of the House and Senate should consult with the Counsel to the General Assembly, Sandy Brantley. She can be reached at 410-946-5600 or sbrantley@oag.state.md.us.