



## Maryland State's Attorneys' Association

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**DATE:**                   **March 3, 2025**

**BILL NUMBER:**   **HB 1287**

**POSITION:**           **Informational**

The Maryland State's Attorneys' Association (MSAA) submits the following for the consideration of this Committee as it reviews and deliberates House Bill 1287.

Last session, the General Assembly enacted a law prohibiting the possession of an item – a switch/auto-sear – that, when attached to a semi-automatic firearm, permits the weapon to fire more than one round each time the trigger is depressed. These items, colloquially known as “Glock switches,” can be manufactured and installed easily, and are generally available for less than \$20.<sup>1</sup>

The danger posed by a firearm modified in this manner is difficult to overstate. Once the trigger is depressed on such a weapon, the firing sequence cannot be terminated, and the firearm will continue to fire, sometimes at a rate of up to 1,200 rounds per minute, until there is no more ammunition. The threat posed by these devices is, unfortunately, proliferating – in Baltimore, the number of illegally modified Glocks seized by law enforcement has doubled from 2023 to 2024.<sup>2</sup> MSAA supports legislation that enables prosecutors to protect communities and hold accountable those that possess these dangerous items.

HB 1287 prohibits the sale or transfer of “convertible pistols,” defined by the bill as “any semiautomatic pistol that can be converted into a machine gun solely by the attachment of a switch/auto-sear.” The purpose of the bill is to reduce the number of handguns in Maryland that can be easily converted into machine guns by the attachment of a switch/auto-sear – a modification which, for some handguns, is generally within the ken of a layperson.

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<sup>1</sup> Bill Hutchinson & Jennifer Vilcarino, *Machine-gun conversion device dubbed 'Glock switches' taking violence to the 'next level': Experts*, ABC NEWS, June 12, 2024, available at <https://abcnews.go.com/US/machine-gun-conversion-device-taking-violence-level-experts/story?id=110855649>

<sup>2</sup> JT Modée Lockman & Stephon Dingle, *Maryland Leaders sue gun manufacturer Glock alleging company contributed to gun violence crisis*, CBS BALTIMORE, Feb. 12, 2025, available at <https://www.cbsnews.com/baltimore/news/maryland-lawsuit-glock-switch-gun-violence-crisis-firearm-crime/>.



The way in which the definition of “convertible pistol” interacts with the definition of “switch/auto-sear,” however, may actually function to ban the sale or transfer of all semi-automatic handguns in Maryland. While semi-automatic handguns made by some manufacturers – primarily Glock – are more readily convertible,<sup>3</sup> there exist devices that meet the definition of “switch/auto-sear” in MD. CODE ANN., CRIM. LAW § 4-301(n) and modify handguns produced by other manufacturers. Although the installation of these devices in other semi-automatic handguns requires a greater degree of technical expertise,<sup>4</sup> the possibility that a handgun could be converted into an automatic weapon with the attachment of such a device by an expert machinist could qualify that handgun as a “convertible pistol” within the definition of HB 1287, and subsequently ban its sale or transfer in Maryland.

Requiring some evidence of ease or capability of conversion is not unknown to firearms law in Maryland – MD. CODE ANN., PUB. SAFETY § 5-101(h)(1) includes in the definition of firearm a “weapon that . . . may be readily converted to expel a projectile by the action of an explosive.” This language has been interpreted, to a degree, by courts in Maryland,<sup>5</sup> and similar language has been examined more thoroughly by federal courts and courts in other jurisdictions.<sup>6</sup> Clarifying the scope of HB 1287’s prohibition will assist Maryland’s prosecutors in carrying out the intent of the General Assembly.

Gun violence destroys lives, families, and communities. Prosecutors see its consequences on an unfortunately routine basis. Creative solutions and collaborative approaches are required to end this scourge, and MSAA stands ready to share the experiences of Maryland’s prosecutors as we work together to solve this problem once and for all.

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<sup>3</sup> Rachel Konieczny, *MD, Baltimore sue firearms manufacturer for exacerbating gun violence*, The Daily Record, Feb. 12, 2025, available at <https://thedailyrecord.com/2025/02/12/md-baltimore-sue-firearms-manufacturer-for-exacerbating-gun-violence/>

<sup>4</sup> See, e.g., Alain Stephens & Keegan Hamilton, *The Return of the Machine Gun*, The Trace, Mar. 24, 2022, available at <https://www.thetrace.org/2022/03/auto-sear-gun-chip-glock-switch-automatic-conversion/>

<sup>5</sup> E.g., *Walker v. State*, 192 Md App. 678 (2010).

<sup>6</sup> E.g., *United States v. Mullins*, 446 F.3d 975 (8th Cir. 2006).