



Maryland State's Attorneys' Association

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DATE: February 10, 2025

BILL NUMBER: HB 353

POSITION: Unfavorable

The Maryland State's Attorneys' Association (MSAA) opposes House Bill 353 and urges this Committee to issue an unfavorable report.

Marylanders are permitted to carry a rifle or shotgun in public without a permit, so long as the weapon is not concealed or carried in particular locations and so long as the individual is not otherwise disqualified from possessing such a weapon – if an individual wishes to carry a handgun, though, they must apply for and receive a permit pursuant to MD. CODE ANN., PUB. SAFETY § 3-101 *et seq.* In *New York State Rifle & Pistol Ass'n, Inc. v. Bruen*, 597 U.S. 1, (2022), the Supreme Court struck down “may-issue” licensing regimes, like the one Maryland had in place, that required an individual to demonstrate a “special need” to carry a handgun in public. This has greatly increased the set of Marylanders who are eligible to receive permits to carry handguns in public.

Even as it struck down “may-issue” licensing regimes in *Bruen*, the Supreme Court did not disturb licensing regimes generally. 597 U.S. at 79 (2022) (“[T]he Court’s decision does not prohibit States from imposing licensing requirements for carrying a handgun for self-defense.”) (Kavanaugh, J., concurring). There are still a number of significant State interests served by the remaining aspects of the handgun permit regulatory structure in Maryland, even though an applicant is no longer required to demonstrate a “special need” in order to obtain a permit.

HB 353 eliminates Maryland’s permit requirement, and undermines the significant state interests in such regulation. After *Bruen*, the requirement to obtain a permit before carrying a handgun in public is no longer a significant barrier for responsible and law-abiding Marylanders – data from the Maryland State Police Licensing Division indicates that Marylanders have been applying for and receiving such permits in increasing numbers since the decision was issued in 2022. Given the important public safety interest served by this permit requirement, and the relatively minor inconvenience it imposes on Marylanders especially when compared to this interest, MSAA urges this Committee to issue an unfavorable report on HB 353.