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Bill Number: HB 1061

Position: Favorable

The Maryland State's Attorneys' Association (MSAA) submits this letter in support of House Bill 1061 - Criminal Law - Wearing, Carrying, or Transporting a Handgun - Prior Convictions which addresses multi-jurisdiction gun possession parity legislation.

Prosecutors across Maryland have worked collaboratively to strengthen public safety, but gaps remain in current law that limit accountability for repeat gun offenders. Under existing Maryland Criminal Law §4-203, individuals with prior firearm possession convictions from other states cannot be treated as subsequent offenders in Maryland courts. As a result, prosecutors are required to charge these individuals as first-time offenders, even when they have previously been convicted of unlawful firearm possession elsewhere.

In the DMV region, where individuals regularly cross state lines to live and work, crime unfortunately moves across borders as well. Law enforcement agencies frequently encounter defendants arrested in Maryland who have prior firearm convictions in neighboring jurisdictions. The current statute creates inconsistent outcomes, allowing individuals with identical conduct and risk profiles to face different consequences solely because a prior conviction occurred outside of Maryland.

This legislation closes that loophole by permitting Maryland courts to recognize qualifying out-of-state firearm possession convictions when applying existing subsequent-offender penalties. The bill promotes fairness, consistency, and accountability while aligning Maryland law with the realities of regional mobility.

Importantly, this proposal does not target lawful gun ownership or the exercise of constitutional rights. Rather, it focuses on individuals who have previously violated firearm possession laws, been held accountable, and continue to engage in unlawful conduct, the very population subsequent-offender statutes are intended to address.

MSAA respectfully urges the Committee to give HB 1061 a favorable report.