



House Bill 1608 Public Safety - Firearms - Storage Requirements Unfavorable

As written, House Bill will have a chilling impact on those who wish to exercise their Constitutional Right to keep and bear arms.

The provisions in the existing statute language which stipulate that a violation of this Section may not be considered evidence of negligence or evidence of contributory negligence have been stricken.

Section 4-112 (A) (5) requires firearms be stored in a “secure storage depository” which means a safe or another container that:

1. “When locked, is incapable of being opened without a key, a keypad, a combination, or any other locking mechanism.” The term “incapable” is undefined and subject to interpretation. Technically speaking, nothing is incapable of being opened.
2. “Is capable of preventing an unauthorized user from obtaining access to and possession of a firearm contained inside.” The term “capable of preventing” is undefined and nothing is capable of preventing access by a person with the proper tools.
3. “Is fire, impact, and tamper resistant.” There is no definition or specification to what level the container must be fire, impact and tamper resistant. These subjective terms are vague and unenforceable.

The draconian language of §4-112 (C) makes it virtually impossible to keep a firearm in a person’s home unless the firearm is on the person or within arm’s reach of the firearm. Thus, maintaining a firearm for lawful self-defense in the home is, for all practical purposes, impractical if not outright prohibited.

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Unfavorable

House Bill 1608 is ill-conceived and poorly drafted. It will have a severe and disproportionate impact on the minority community and those of lesser financial means.

As of this writing, neither the fiscal note nor the racial impact statement are available.

We strongly urge an unfavorable report on House Bill 1608.

Respectfully,

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