



Marylanders to Prevent Gun Violence

2021 GENERAL ASSEMBLY WRAP-UP



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The 2021 Maryland General Assembly Session has come to a close in a tumultuous and unusual year. Session took place during a highly restrictive environment in the midst of a global pandemic. Maryland is celebrating being the first state to take decisive action on police reform and foundations have been strengthened in many other critical areas of reform allowing us to hit the ground running in 2022. In the meantime, MPGV presents our 2021 Legislative Wrap-up of all things gun violence related.

After closing down early in 2020, the 2021 session managed to open on time and continue without shut-down until the designated end. Nevertheless, Covid-19 played a substantial role in modifying the structure and capacity of procedures. Advocates were required to work virtually, while legislators employed a mixture of virtual and in-person, socially distant methods. Leadership, as mandated, prioritized passing the budget. In light of an overdue recognition of fundamental structural flaws, police reform also dominated. State House Speaker Adrienne A. Jones emphasized a "Black Agenda" which focused on the crucial need to close the race gap in areas of homeownership, health, and wealth. MPGV applauds these efforts that led to successful legislation and help to address the issue of violence prevention. We know that fundamental to the conversation of gun violence is the fact that it is felt most acutely by our black and brown citizens and that generations of systemic racism has created a cycle of poverty and violence that many struggle to escape. Undoing these disparities will not be quick or easy, but is imperative as a foundation for other gun violence prevention efforts. While we are disappointed that our key legislation this session, the Child Firearm Access Prevention otherwise known as Jaelynn's Law, did not make it through, we recognize the importance of the work that was done and pledge that we will continue to fight for this bill in future sessions.



SUCCESES:

Maryland Violence Intervention and Prevention Funding (MD VIPP) (SB708/HB 822)

Funding for Maryland's Violence Intervention and Prevention Programs was secured after the legislature overrode the Governor's veto of last year's bill. Sustained funding for these necessary components in the fight to reduce gun violence is absolutely critical for these efforts to have lasting change. We applaud Delegate Brooke Lierman and Senator Jill Carter for their leadership.

Senator Cory McCray worked a budget narrative into the 2021 Maryland General Assembly Budget for \$3.6 million for Violence Intervention and Prevention work. Though not a guarantee of funding, this allows Maryland to fill the gap for these critical community-based violence prevention programs in the interim period before 2020 SB708 goes into effect.

Long Gun Bill

We celebrate the work of our partners at Moms Demand Action and their success securing an override of the governor's veto of the long gun licensing bill.

Office of the Attorney General - Firearm Crime, Injuries, Fatalities, and Crime Firearms - Study Extension (HB1186)

Extending of timelines for legislation mandating reporting. Bill passed the House and has gone to the governor for signature.

Bad Bills

MPGV opposed a number of bad gun bills aimed at undermining Maryland's strong firearm safety protections. None passed.



CONTINUING EFFORTS:

CHILD ACCESS PREVENTION - SB 479/HB200 - Public Safety - Access to Firearms - Storage Requirements (JAELYNN'S LAW)

The Child Firearm Access and Prevention bill (CAP) is designed to strengthen Maryland's current law governing firearm storage in relation to children. The bill raises the age of the applicable child to include 16 and 17 year olds and requires gun owners to secure their unloaded weapons so that youth cannot access.

The CAP bill was introduced this year by Delegates Stein and Bartlett in the House and Senator Smith in the Senate in largely the same shape it closed in the previous session. The bill was pre-filed in the House and received early hearings in both the House and Senate. Despite this, neither committee brought the bill to a vote so it did not reach the floor in either chamber. Research has shown that legislating the practice of safe storage has a measurable effect in reducing child access tragedies. This applies both to unintentional as well as intentional events such as suicide. Furthermore, safe storage practices can also reduce the accessibility of firearms from those who wish to steal firearms, thereby reducing the number of legally purchased firearms that become crime guns through theft. We will continue to prioritize this legislation in 2022.

GHOST GUNS - SB624/HB638 - Public Safety - Untraceable and Undetectable Firearms

In the lead-up to this year's General Assembly, MPGV worked with a coalition of GVP advocates and experts to redesign legislation aimed at reducing the number of untraceable firearms in Maryland. The focus of this legislation was aimed at firearms that are distributed as components with someone other than a Federally Licensed Firearm dealer performing the final construction of the device. Because the components are not classified as a firearm when they are sold, they are not regulated or serialized. Thus an individual may acquire a fully functional firearm without any of the licensing, background checks, or training required of someone who is purchasing an off-the-shelf product. These firearms are becoming increasingly easy to DIY and are turning up more frequently in criminal investigations, on crime scenes, etc. They are easier to sell on the blackmarket as they are not traceable to the original point of sale. While current technology of 3D printed weapons (which are a subset of these untraceable firearms), leads to a less reliable firearm, this is not the case with these component weapons often sold in kits. This legislation seeks to treat the most critical component of the firearm kit ... the receiver ... as a firearm and thus trigger the need for the type of background check otherwise required for licensing. In addition, the bill requires these weapons to have markings that would assist in tracing should the firearm turn up in a criminal investigation.



CONTINUING EFFORTS:

GHOST GUNS (cont.)

The Ghost Gun bill introduced by Senator Lee in the Senate and Delegate Lopez in the House underwent a complete overhaul of the bill language that was introduced in the 2020 Session. After robust hearings in the House and Senate committees, The Ghost Gun legislation as originally filed did not make it to a vote list in either committee. Last minute maneuverings in the House amended Senate Bill 190 (Hough) that had passed through the Senate to include the language of the ghost gun bill. As amended this bill did not get past the Second Reader before the session closed. We will continue to prioritize this legislation in 2022.

SB406/HB93 - Local Violence Review Committees

We supported legislation designed to enable local jurisdictions to develop youth violence review committees. By removing some of the obstacles that studying root causes of youth violence currently faces, this bill aims to facilitate data gathering which will inform solutions aimed at preventing future violence. Senator Augustine and Delegate Henson's bills received committee hearings but made it no further.

HB1089 - Primary and Secondary Education – Expansion of Mental Health Services and Prohibition of School Resource Officers (Police-Free School Act)

This bill, sponsored by House Delegate Gabriel Acevero, addressed data showing that having police in schools does not deter shooters, nor does it reduce violent conduct or crimes. Instead, in some cases police presence in schools can traumatize children and can also perpetuate the school-to-prison pipeline. This bill aimed to not only remove police entirely from schools, it would also shift \$10 million in state funding from school policing to student mental health services, wraparound supports, and restorative approaches. The opposition to this bill focused on specific instances where SROs have been effectively utilized. This bill did not make it out of the Ways and Means committee. MPGV believes that this issue deserves more attention and will continue to research and educate in the coming year.

HIGHLIGHTS OF SUCCESSFULLY OPPOSED BAD BILLS:

HB415 - Firearms - Right to Purchase, Own, Possess, and Carry - Medical Cannabis

Sponsored by Delegate Grammar. Introduced in 2020 as HB73, 2019 as HB 479, 2018 as HB534. The bill received a hearing but did not make it out of committee. (See MPGV position as explained in SB190/HB543).



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HIGHLIGHTS OF SUCCESSFULLY OPPOSED BAD BILLS:

SB190/HB543 - Firearms - Right to Purchase, Possess, and Carry - Medical Cannabis.

Sponsored by Senator Hough/Delegate Hornberger. MPGV opposed this legislation on the grounds that there is insufficient data to support the loosening of restrictions related to rights to purchase, own, possess, and carry a firearm. In addition, changing the state law in this manner will not alter the federal law discrepancy. This may lead to federal law enforcement using the discrepancy to secure "no knock" warrants or other invasive tactics on Maryland citizens who do not realize that by possessing both medical cannabis and firearms, they are opening themselves up to the federal government using mechanisms that are not permissible by the state. If history is any indicator, this will be felt adversely primarily by our black and brown citizens. HB543 received a hearing but did not make it out of committee. SB190 received a hearing, was voted out of committee, and was amended on the House floor to include the contents of the ghost gun legislation (SB624/HB638). Language related to medical cannabis was ultimately amended out of the bill. The significantly altered bill made it to Second Reading before Session ended.

HB845 - Permit to Wear, Carry, or Transport a Handgun - Qualifications.

Sponsored by Delegate Cox. This bill attempted to amend current law to allow a generalized "personal protection" descriptor as grounds for issuing a wear/carry permit. MPGV opposed it as it would significantly weaken the current law. It was also introduced in 2020 as HB1607, and 2019 as HB541. The bill received a hearing but did not make it out of committee.

SB27 - Permit to Wear, Carry, or Transport a Handgun - Qualifications.

Sponsored by Senator Hough. This bill attempted to amend current law to allow a generalized "personal protection" descriptor as grounds for issuing a wear/carry permit. MPGV opposed it as it would significantly weaken the current law. Introduced in 2020 as SB198, 2019 as SB115, 2018 as SB99, and 2017 as SB511. The bill received a hearing but did not make it out of committee.

SB221 - Handgun Qualification License - Firearms Safety Training.

Sponsored by Senator Bailey. This bill was introduced in 2020 as SB 881 and attempts to remove the firearm safety training requirement to the handgun qualification license process. MPGV opposed this bill on the grounds that the safety training component is a critically necessary part of the licensing requirements. SB221 received a hearing but did not make it out of committee.

BAD BILLS THAT PASSED:

None

