



Marylanders to Prevent Gun Violence

2022 GENERAL ASSEMBLY WRAP-UP



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The 2022 Maryland General Assembly Legislative Session was a mixture of in-person and virtual hearings depending on when the hearing took place and which chamber was acting. Important questions about legislative accessibility are being asked and MPGV strongly believes that more attention should be devoted to these matters before the start of 2023. Gun violence numbers around the country are stunningly high making it essential that legislators focus on solutions backed by data and research. Thanks to our amazing team of volunteers and our partnerships with legislators and national gun violence prevention groups we are making steady progress toward addressing gun violence from a myriad of angles. We know that this is not a problem that can be solved with a single piece of legislation. The reasons why gun violence is so high in the United States are vast and solutions will need to come from addressing the easy availability of guns, caring for victims of trauma, and addressing systemic racism and poverty among other things. We celebrate the successes we have from the 2022 session even as we begin to look to 2023. Thank you for your support in this journey to save lives.



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THE WINS:

Ghost Guns (SB387/HB 425) - Public Safety - Untraceable Firearms

MPGV and other gun violence prevention groups have been working for four years to address the growing problem of untraceable firearms commonly referred to as ghost guns. The dynamic shifted this year at the federal level with efforts being made to curb the availability of unserialized gun parts. This year's bill, sponsored by House and Senate leadership at the request of Attorney General Brian Frosh, was designed to work in tandem with the proposed federal rulemaking, to operate in the case of no federal rule, and most importantly to fill the gaps that the federal government could not address with a regulatory rule. MPGV helped to organize national advocacy groups to work with the Attorney General's office to craft a new bill that addressed the myriad of concerns presented by the growth of this source of guns as well as the existing stockpiles of guns and parts. Senator Susan Lee and Delegate Lesley Lopez defended the legislation in their respective chambers, with Lopez in particular showing a masterful understanding of the issue, the law, and the regulations to ensure the bill was not weakened by amendments. The Senate passed the bill with bipartisan support. After accepting the Senate changes, the House sent the bill to Governor Hogan who allowed the bill to pass into law without his signature. The law goes into effect June 1, 2022 with current owners of ghost guns and parts having until March 1, 2023 to comply. In the days following the passage of Maryland's ghost gun ban, the federal government moved to finalize the new ATF regulation which will go into effect on August 24, 2022.

Firearm Dealer Security (HB1021) - Public Safety - Licensed Firearm Dealers - Security Requirements

During the 2020 legislative session, MPGV partnered with Brady United Against Gun Violence in their efforts to curb the diversion of guns into criminal markets by reducing the ability of gun thieves to target gun dealers/shops through mandated security measures taken by the Federal Firearm Licensees. This year, Speaker Adrienne Jones' bill HB1021, took a similar approach by mandating certain security measures and setting the consequences of a failure to comply with suspension and/or revocation of FFL license. The bill passed the General Assembly and was vetoed by the governor. The veto was overturned by the General Assembly prior to session end and becomes law on October 1, 2022.

Funding for Violence Prevention (SB350/HB1005) - Maryland Medical Assistance Program - Community Violence Prevention Services

This legislation, sponsored by Senator Charles Sydnor and Delegate Stephanie Smith, mandates that the Maryland Medical Assistance Program shall provide community violence prevention services to individuals who have been exposed to community violence, have a personal history of injury



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THE WINS:

Funding for Violence Prevention (cont.)

sustained from community violence, and been referred by a certified or licensed health care or social services provider. It mandates that a certification and training program be established by January 2023.

Maryland Gun Center (SB861) - Public Safety - Firearm Crimes - Enforcement Center, Offenses, and Procedures

Originally sponsored by Senator Pam Beidle, it gained sponsors Will Smith, Jeff Waldstreicher, Jack Bailey, Jill Carter, Robert Cassilly, Shelly Hettleman, Michael Hough, Susan Lee, Charles Sydnor, Ron Watson, and Chris West. This bill expands the existing Maryland State Police Gun Center as a statewide firearms enforcement center for tracking, screening, and vetting of all firearm crimes committed in the state. It also requires the creation and maintenance of a statewide database to track firearm crime. In addition, it provides that the State may appeal a trial court decision excluding evidence seized in violation of the state or federal constitutions. Lastly, it requires the Corrections Department to report certain cost-of-living statistics and information related to race, age, sex of inmates, disaggregated by job classification and wage scale. The governor signed the bill on April 21 and the law goes into effect October 1, 2022.

CONTINUING EFFORTS:

Child Access Prevention (CAP) (SB676/HB659) - Firearms Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)

Delegate Dana Stein first introduced a version of a stronger CAP law in the 2013 General Assembly Session. In the years since, countless lives have been lost and forever altered due to entirely preventable gun violence. One of those, Jaelynn Willey, was killed in a high school shooting in 2018. This is one of the most researched areas of gun violence prevention and the data clearly shows that strong child access prevention laws work. This year our legislative efforts were joined by more than 25 public health organizations and experts calling attention to the youth mental health crisis and the easy access youth have to lethal means. We call on Maryland House and Senate leadership to prioritize Jaelynn's Law in 2023.



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CONTINUING EFFORTS:

Guns at Polling Sites (SB329/HB 30) - Election Law - Polling Sites - Firearm Prohibitions - This legislation sponsored by Delegate Shaneka Henson and Senators Jeff Waldstreicher and Bill Ferguson sought to prohibit the carrying of firearms at or near polling sites. Inspired by concerns of violence for upcoming elections, lawmakers sought to limit the potential of any events to escalate to deadly violence. It is widely believed that the events of January 6 were very much mitigated by D.C.'s strong gun laws. Unfortunately, the bill did not reach a vote in either chamber.

Holding Gun Industry Legally Accountable (SB873/HB1396) - Public Safety - Firearm Industry Members - Public Nuisance

Sponsored by Senators Jeff Waldstreicher and Will Smith and Delegate Vanessa Atterbeary. With nearly every American industry and product, civil liability can be used as an important check on irresponsible manufacturers and sellers—but not the gun industry. When Congress passed the Protection of Lawful Commerce in Arms Act (PLCAA) in 2005, our leaders made the gun industry immune from nearly all lawsuits, leaving families of gun violence victims without an avenue to seek justice regardless of unreasonable, illegal, or reckless behavior that leads to harm. This bill received a hearing in the House Judiciary committee this session and stalled. MPGV looks forward to continuing these efforts in 2023.

SUCCESSFULLY OPPOSED BAD BILLS:

Every year a slew of bills designed to chip away at existing gun violence prevention law are attempted. MPGV is happy to report that no bills we advocated against were passed into law. In this election year, it is worth highlighting the legislators bringing particularly problematic bills in an effort to weaken our gun laws and allow more guns into more public spaces. In particular, there is a national movement fueled by the NRA to shift state law from requiring a permit to legally carry a firearm to becoming permitless or having a permit system with little to no limiters... what they like to refer to as "Constitutional Carry." In 1960, most U.S. states required some form of permitting to allow individuals to legally carry firearms into public spaces (if they allowed public carry at all). Only two states were considered "Shall Issue" states, meaning that a state must issue a license if their standards are met. The NRA has been steadily chipping away at those protections for over 40 years, which at their best required some sort of training and certification to determine whether someone was appropriate to publicly carry firearms. This year the number of states that are considered "Shall Issue" or "Permitless" has jumped to 25. These states remove all or almost all of those protections and allow even the least qualified person to have firearms in public spaces in contrast to



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SUCCESSFULLY OPPOSED BAD BILLS:

"May Issue" states where the state *may* issue a license if their standards are met. These are especially dangerous laws and gun violence in permitless/"Shall Issue" states has consistently ranked higher than in those states which have kept protections in place. It is critical in this election season to recognize these extreme views on guns exist in Maryland and specifically in legislators that are running for reelection and/or seeking new public office.

SB 327/HB 1174 - Public Safety - Permit to Carry, Wear, or Transport a Handgun - Qualifications
This legislation brought by Senator Justin Ready and Delegate Nic Kipke would have significantly opened up the granting of permits to carry, wear, or transport a firearm to basically anyone claiming they plan to use it for defensive use. The bill received a hearing in both chambers but did not advance.

HB 1206 - Public Safety - Handgun Permit Requirement - Repeal (Maryland's Constitutional Carry Act of 2022)

This legislation brought by Delegate Robin Grammer would convert Maryland from its long standing position as a "May Issue" state to a "Shall Issue" state for public carrying of firearms. The bill received a hearing in the House Judiciary committee but did not advance.

