

**House Judiciary Committee**  
**HB 638 - Favorable with Amendments**  
**March 1, 2021**

Mr. Chair, Madam Vice Chair, and Members of the Committee,

Thank you for your time. I come before the committee as someone who both cares deeply about the safety of my community, and has also taken it upon myself to build my own firearms. As such, I believe I am in a good position to appreciate both the need to empower law enforcement to trace firearms used in crimes, and the need to protect from criminalization responsible citizens who have taken such a deep technical interest in the exercise of their 2nd amendment responsibilities.

To that end I've been working with Delegate Lopez on the nuances of this bill over the past couple of months, and I know she has some further amendments to strengthen its intent and tailor its execution. I believe that this bill represents a good opportunity to realize both goals I mentioned before, and I also offer the following amendments to crucial areas in the bill that would move me to ask the committee for a favorable report:

- Remove **“BY A FEDERALLY LICENSED FIREARMS MANUFACTURER OR FEDERALLY LICENSED FIREARMS IMPORTER”** from the following sections: **§ 5-704 (a), § 5-704 (c) (1-2)**.  
Rationale: Licensed manufacturers and importers (whether in-state or out) are not obliged by any federal law to mark unfinished frames or receivers in this manner, let alone keep a record of such markings, and as far as I know they do not. Without that federal requirement, it is hard to see how Maryland authorities will be able to verify the authenticity of such markings even if the state were to require and enforce it for in-state licensees. **The only thing this specific language seems to therefore do is prohibit individual home-builders like myself from marking their firearms in compliance with the rest of the law**, since individuals like me are not federally-licensed manufacturers or importers. This puts up an unnecessary barrier to efforts at self-compliance.
- Remove **§ 5-704 (c) (4)**.  
Rationale: Federal law does not consider unfinished receivers to be firearms, so there is no **“required log” for a “Federally Licensed Firearms Dealer/Manufacturer/Importer” to maintain in accordance with “Federal law and regulation”**. Therefore this part of the bill doesn't mandate any action. If this is creating a new logging requirement for unfinished frames and receivers, it would need greater specificity as to the level of logging and duration such logs are retained, etc.

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What's important about this bill- it establishes a clear, reasonable requirement for serialization of all firearms home-manufactured in Maryland, which will aid law enforcement in tracking criminal activity and it will help the homebuilder recover lost or stolen firearms using that same information engraved on the receiver.

In a way this bill represents the establishment of a partnership, by way of convention, between the community of citizen homebuilders and officers of the law. If it is passed and **if citizens are allowed to make every effort to comply (see my first amendment above)**, law enforcement will be able to spot illegally manufactured or stolen firearms more easily: by a lack of serial number, fake information engraved, or information not matching the person in possession of the firearm. For their part, citizen home builders will be able to assist in the return of lost or stolen firearms that they've put hours of their own labor into creating.

With the above amendments, I would urge the committee to return a favorable report on HB 638.

Thank you,  
Andrew Seabrook