



BILL NO: House Bill 538
TITLE: Handgun Permits – Qualifications – High-Risk Occupations
COMMITTEE: Judiciary
HEARING DATE: February 10, 2021
POSITION: **OPPOSE**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the House Judiciary Committee to issue an unfavorable report on HB 538.**

Higher rates of firearm ownership correlate to a higher rate of domestic violence homicide according to a 2019 study.¹ There is a 65% higher incidence rate of domestic firearm homicide in the states with the highest firearm ownership compared to states with lower ownership rates.² Since women are the most common victims of domestic violence homicide, they are most at risk with increased gun ownership.³ Black women are disproportionately the victims of domestic violence homicide with a firearm with an estimated 51.3% of Black adult female homicides found to be related to intimate partner violence.⁴ The risk of homicide for women increases by 500% with the presence of a gun in the home.⁵

The Supreme Court stated in *District of Columbia v. Heller* that “[l]ike most rights, the right secured by the *Second Amendment* is not unlimited.”⁶ Current Maryland law sets reasonable standards to obtain a permit to wear, carry, or transport a handgun. House Bill 538 seeks to vastly expand the current standards regarding whom may be granted a permit to carry, wear, or transport a handgun. Pursuant to Md. PUBLIC SAFETY Code Ann. § 5-306(a)(6)(ii), a person must have a “good and substantial reason to wear, carry, or transport a handgun, such as a finding that the permit is necessary as a reasonable precaution against apprehended danger.” House Bill 538 would alter the “good and substantial reason”

¹ Kivisto, A.J., Magee, L.A., Phalen, P.L., Ray, B.R. (2019). Firearm ownership and domestic versus nondomestic homicide in the U.S. American Journal of Preventive Medicine, Abstract: [https://www.ajpmonline.org/article/S0749-3797\(19\)30197-7/fulltext#articleInformation](https://www.ajpmonline.org/article/S0749-3797(19)30197-7/fulltext#articleInformation)

² Merovsh, Sarah. “Gun Ownership Rates Tied to Domestic Homicides, but Not Other Killings, Study Finds,” NY Times, (July 22, 2019) <https://www.nytimes.com/2019/07/22/us/gun-ownership-violence-statistics.html>

³ *Id.*

⁴ Petrosky, E., Blair, J.M., Betz, C.J., Fowler, K.A., Jack, S.P.D., & Lyons, B.H. (2017). Racial and ethnic differences in homicides of adult women and the role of intimate partner violence - United States, 2003-2014. MMWR. Morbidity and Mortality Weekly Report, 66(28), 741-746. Retrieved from <https://www.cdc.gov/mmwr/volumes/66/wr/pdfs/mm6628a1.pdf>.

⁵ The National Domestic Violence Hotline, Retrieved 1/29/21, <https://www.thehotline.org/resources/safety-planning-around-guns-and-firearms/>

⁶ *District of Columbia v. Heller*, 554 U.S. 570, 626 (2008).

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standard to allow persons employed in a list of 10 different professions who want a permit to carry, wear or transport a handgun to obtain one.

According to the 2020 Fiscal Note for this bill which was HB 1502 “individuals employed in the other specified occupations do not currently qualify for handgun permits, and research indicates that approximately 50,000 individuals in the State could be classified within those occupations.”⁷ Maryland’s wear, carry, or transport handgun law is well-balanced and allows for those that can demonstrate a good and substantial reason to obtain a permit. There is no basis to broadly expand this statute for these professions. Any of these individuals can obtain a wear, carry, or transport handgun permit with the requisite good and substantial reason. With the knowledge that the presence of guns increases the risk of domestic violence homicide MNADV is deeply concerned about the potential impact of HB 538 for victims of domestic violence.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges an unfavorable report on HB 538.**

⁷ https://mgaleg.maryland.gov/2020RS/fnotes/bil_0002/hb1502.pdf