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SB329 Election Law - Polling Sites - Firearms Prohibitions  
Unfavorable  
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I am a firearms instructor and advocate of responsible firearms handling and ownership. Currently, I am a Maryland State Police Qualified Handgun Instructor, a Utah Concealed Firearm Permit Instructor, USCCA Concealed Carry and Home Defense Instructor, NRA Range Safety Officer, and Basic Pistol Instructor. Since 2016, I have instructed Marylanders from all walks of life on how to safely operate firearms and the responsibilities that come with them. I come before you today to request an unfavorable report of Senate Bill 329.

SB329 seeks to ban firearms possession, with few exceptions, within 100 feet of polling sites during elections by imposing a civil penalty and fine not exceeding \$5,000. Testimony by proponents last year on similar legislation alluded to wanting to stop individuals from openly carrying firearms outside of polling locations to intimidate voters. While the purpose is completely understandable, the bill is overly broad, confusing, largely unnecessary, and easily broken whether intentionally or not. If the intent is to prohibit armed intimidation, it should spell out the act instead of making a series of complicated, unworkable, and vague exemptions. The bill should be given an unfavorable report.

The bill tries to exempt those who happen to live within 100 feet of a polling site and are in lawful possession of firearms, but §16-904(c)(2) *requires* that the individual(s) be transferring the firearms between their residence and a vehicle *to be in compliance with* the restrictions. The conditions of that section must *all* be met with the way the text is written. The effect cannot be that residents must rid themselves of guns merely because they live next to a place that is or may

suddenly become a polling site, but it's what the bill would do. Even if that isn't the intent and the aim of the language would be to fully exempt firearms possession in one's home, the bill is written in ignorance to other private property or circumstances where people may lawfully possess firearms, even for those merely driving by while legally transporting or carrying their guns.

In another exemption from the bill, off-duty law enforcement may carry their handgun into a polling site so long as they do so concealed, but that they also wear a badge. If someone, *anyone*, is carrying a concealed handgun, virtually no one can tell. Concealed is concealed, after all. Ironically, a displayed badge could give someone an inkling that the person is armed and if that person finds the mere presence of guns *and/or* law enforcement intimidating, those factors in and of themselves could dissuade someone from voting at that place. Instead, if some form of this bill should pass, those who may legally wear a handgun in public could be required to do so concealed (supposing it is a place where guns may be lawfully carried anyways) instead of trying to differentiate between general members of the public and police officers.

One must wonder why this legislation instead doesn't simply try to penalize the act of displaying firearms at polling sites. Concealed firearms by definition aren't visible and therefore cannot be threatening. These places don't have metal detectors, nor would anyone tolerate subjecting to security screenings to be able to vote if they did. Law-abiding individuals able to carry their arms are left potentially defenseless to those who do not care about the law or the safety of people. Further, if there are concerns that individuals may post somewhere near a site openly with firearms as some sort of demonstration, Maryland law already has answers for that. See Md. Criminal Law § 4-208.

In conclusion, SB329 is wholly unnecessary and as introduced and would harm completely innocent conduct and innocent people far more than a determined individual willing to threaten or inflict violence.

I urge an unfavorable report.

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