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February 2, 2023

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

**SENATE BILL 86
OPPOSE**

Re: Senate Bill 86 – Rifles and Shotguns – Possession – Age Requirement (Raise the Age Act of 2023)

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings Committee:

On behalf of the National Shooting Sports Foundation (“NSSF”), and our industry members located throughout the state of Maryland, I write today to express our opposition to Senate Bill 86 (“SB 86”), also referred to as of the “Raise the Age Act of 2023.” SB 86 seeks to discriminate against an entire group of young adults and their ability to lawfully possess and purchase a firearm and ammunition based on their age.

BACKGROUND ON NSSF

As the trade association for America’s firearms, ammunition, hunting, and recreational shooting sports industry, the National Shooting Sports Foundation (“NSSF”) seeks to promote, protect, and preserve hunting and the shooting sports. NSSF represents more than 10,000 members which include federally licensed manufacturers, wholesale distributors and retailers of firearms, ammunition and related goods and accessories, as well as public and private shooting ranges, sportsmen’s clubs, and endemic media, including close to 100 businesses located in Maryland, such as Beretta USA, Benelli USA and its family of brands, and LWRC International. Nationally, our industry contributes close to \$70.5 billion dollars annually to the economy creating over 345,000 good paying jobs and paying over \$7.8 billion dollars in taxes. Our industry has a \$890.70 million dollar impact on the Maryland economy, creating more than 4,200 jobs paying over \$287 million in wages and nearly \$109 million dollars in taxes.

Members of the firearm industry are proud of their longstanding cooperative relationship with law enforcement. For example, on behalf of our industry members, for over two decades NSSF has partnered with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) on an anti-straw purchasing campaign called *Don’t Lie for the Other Guy* (www.dontlie.org). This joint effort assists ATF in training licensed retailers to be better able to identify potential illegal straw purchases and avoid those transaction. Don’t Lie also provides public service announcements to educate the public that it is a serious crime to illegally straw purchase a firearm for which you can be sentenced to up to ten years in prison and fined of up to \$250,000.

Another example is *Operation Secure Store* (www.operationsecurestore.org), a joint ATF/NSSF initiative providing licensed retailers with education on solutions and services that enhance

operational security and aid in identifying potential risks, protecting interests, and limiting the disruption of operations. The mission is to deter and prevent thefts from retailers and enhance public safety. NSSF also provides significant compliance resources and educational opportunities to members of the industry. See <https://www.nssf.org/retailers/fpl-compliance/>.

OPPOSITION TO SB 86

NSSF is strongly opposed to SB 86 because it seeks to enact age-based discrimination, denying 18 to 20 year olds the ability to exercise a constitutional right. At 18 years of age, an American may vote, enlist and may be drafted to serve in our military. If an 18-year-old is old enough to defend our rights with an automatic, military firearm, and to die in service to our country, there is no reason to deny a qualified individual his or her Second Amendment right to own a semi-automatic firearm. A blanket prohibition on firearm ownership for those aged 18 to 20 is arbitrary and not supported by evidence that this will have an impact on criminal misuse of firearms.

[A review of mass shootings](#) over the last 50 years found only one other instance of the use of a modern sporting rifle that was legally obtained by a shooter under the age of 21. Consider the impact made by the unconstitutional ban on handgun purchases for those in this age bracket. Data clearly show that gun violence is often committed by prohibited young men involved in gang activity, with illegal handguns as the firearm of choice. The age restriction does not stop criminals. It only stops those who follow the law, regardless of age. Noted criminologist Gary Kleck performed a longitudinal analysis of the impact of the 1968 ban on 18-20 year olds purchasing handguns. After testing for an impact on the share of violent crime arrests for the adults in this age group, he concluded that the results, “indicate that there was no impact of these age restrictions on handgun purchases, on the 18-to-20 share of arrests for homicide, robbery or aggravated assault.”

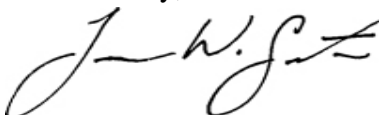
CONCLUSION

The Second Amendment inclusion in the Bill of Rights establishes that an individual’s right to keep and bear arms is a fundamental individual right, just as the right to exercise free speech, practice religion, or vote in elections are available to law-abiding American adults to freely exercise upon their choosing. Denial of the full ability to exercise these rights, or to relegate Second Amendment rights to a second-class status, is a right denied. This was affirmed in 2008 by the U.S. Supreme Court in its District of Columbia v. Heller decision. The majority decision affirmed the right of individuals to keep and possess firearms for lawful purposes.

Since 18 is the legal age of majority and persons under 21 can’t legally purchase a handgun, raising the long gun purchase age to 21 effectively deprives persons age 18-21 of their Constitutionally protected rights by denying them the ability to legally acquire the means for self-defense.

It is for these reasons, the National Shooting Sports Foundation opposes Senate Bill 86 and we would respectfully request an Unfavorable Report.

Sincerely,



Trevor W. Santos