



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 1, 2024

SB 39 - Gun Theft Felony Act of 2024

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee, Senate Bill 39 would exclude theft of a firearm from the general theft statute and classify theft of a firearm as a felony offense. The first conviction would impose a 5-year imprisonment and/or a \$1,000 fine. The second conviction would impose a 10-year imprisonment and/or a \$2,500 fine.

Under current law, theft of a firearm is subject to general theft statute, which imposes penalties based on the value of the stolen property. Therefore, a first offender firearm thief who steals a \$600 handgun would receive a misdemeanor charge, with a maximum 6-months in jail and/or a \$500 fine. A second or subsequent conviction is only a possible 1-year imprisonment and/or a \$500 fine. SB 39 establishes penalties that are far more fitting to stealing a firearm and will do more to deter citizens from doing so.

According to the Bureau of Alcohol, Tobacco, Firearms, and Explosives, more than 4,500 firearms were reported stolen from private citizens in Maryland between 2017 and 2021. An estimated 22.8% of all firearms reported stolen between those years were ultimately recovered in-state.¹

Additionally, a 2023 Gonzales Poll shows 89 percent of Marylanders think it should be a felony to possess a stolen firearm.² It is clear that our communities want stronger punishments for those who knowingly steal a firearm.

Current law does not impose serious enough penalties to deter people from stealing firearms, or using a firearm that you knowingly purchased from someone who stole it. We need to get illegal guns off the streets of Maryland and reduce the violent crimes they are used to commit.

I respectfully request a favorable report on Senate Bill 39.

¹ National Firearms Commerce and Trafficking Assessment (NFCTA): Crime Guns – Volume Two

<https://www.atf.gov/firearms/national-firearms-commerce-and-trafficking-assessment-nfcta-crime-guns-volume-two>

² Marylanders Overwhelmingly Feel the Possession of A Stolen Firearm Should Be A Felony

<https://foxbaltimore.com/morning/marylanders-overwhelmingly-feel-the-possession-of-a-stolen-firearm-should-be-a-felony>