

SENATE BILL 1031

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By: **Senator Attar**

Introduced and read first time: February 8, 2025

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Child’s Access to Firearms – Penalty**
3 **(Ny’Kala Strawder Act)**

4 FOR the purpose of altering the penalty for storing or leaving a loaded firearm in a location
5 where the person knew or should have known that an unsupervised minor has access
6 to the firearm; and generally relating to firearms offenses.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Law
9 Section 4–104
10 Annotated Code of Maryland
11 (2021 Replacement Volume and 2024 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Criminal Law**

15 4–104.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) “Ammunition” means a cartridge, shell, or other device containing
18 explosive or incendiary material designed and intended for use in a firearm.

19 (3) (i) “Firearm” means a handgun, rifle, shotgun, short–barreled rifle,
20 or short–barreled shotgun, as those terms are defined in § 4–201 of this title, or any other
21 firearm.

22 (ii) “Firearm” does not include an antique firearm as defined in §
23 4–201 of this title.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) This section does not apply if:

2 (1) the minor's access to a firearm is supervised by an individual at least
3 18 years old;

4 (2) the minor's access to a firearm was obtained as a result of an unlawful
5 entry;

6 (3) the firearm is in the possession or control of a law enforcement officer
7 while the officer is engaged in official duties; or

8 (4) the minor has a certificate of firearm and hunter safety issued under §
9 10-301.1 of the Natural Resources Article.

10 (c) A person may not store or leave a loaded firearm in a location where the person
11 knew or should have known that an unsupervised minor has access to the firearm.

12 (d) A person who violates this section is guilty of a misdemeanor and on conviction
13 is subject to **IMPRISONMENT NOT EXCEEDING 5 YEARS OR** a fine not exceeding \$1,000
14 **OR BOTH.**

15 (e) (1) A violation of this section may not:

16 (i) be considered evidence of negligence;

17 (ii) be considered evidence of contributory negligence;

18 (iii) limit liability of a party or an insurer; or

19 (iv) diminish recovery for damages arising out of the ownership,
20 maintenance, or operation of a firearm or ammunition.

21 (2) A party, witness, or lawyer may not refer to a violation of this section
22 during a trial of a civil action that involves property damage, personal injury, or death.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2025.