

HOUSE BILL 1608

E4, E1

6lr3692

By: **Delegate Bartlett**

Introduced and read first time: February 17, 2026

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Firearms – Storage Requirements**

3 FOR the purpose of altering a certain provision of law that prohibits a person from storing
4 or leaving a certain firearm in a location if the person knew or should have known
5 that an unsupervised minor is likely to gain access to the firearm; requiring a certain
6 individual to store a firearm in a certain secure storage depository at a certain time;
7 prohibiting a certain individual from violating a certain firearm storage
8 requirement; prohibiting a certain individual from violating a certain firearm
9 storage requirement; prohibiting a certain individual from violating a certain
10 firearm storage requirement resulting in a certain unauthorized user accessing the
11 firearm and causing serious bodily injury or death; and generally relating to the
12 storage of firearms.

13 BY repealing and reenacting, with amendments,
14 Article – Criminal Law
15 Section 4–104
16 Annotated Code of Maryland
17 (2021 Replacement Volume and 2025 Supplement)

18 BY adding to
19 Article – Criminal Law
20 Section 4–112
21 Annotated Code of Maryland
22 (2021 Replacement Volume and 2025 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – Public Safety
25 Section 5–133(b) and 5–306(d)
26 Annotated Code of Maryland
27 (2022 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Criminal Law**

4 4–104.

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

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

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

11 (ii) “Firearm” does not include an antique firearm as defined in §
12 4–201 of this title.

13 (b) This section does not apply if:

14 (1) the minor’s access to a firearm is supervised by an individual at least
15 18 years old;

16 (2) the minor’s access to a firearm was obtained as a result of an unlawful
17 entry;

18 (3) the firearm is in the possession or control of a law enforcement officer
19 while the officer is engaged in official duties; **[or]**

20 (4) the minor has a certificate of firearm and hunter safety issued under §
21 10–301.1 of the Natural Resources Article;

22 **(5) THE MINOR OBTAINS THE FIREARM IN AN ACT OF LAWFUL**
23 **SELF–DEFENSE OR DEFENSE OF ANOTHER PERSON; OR**

24 **(6) THE FIREARM WAS STORED IN ACCORDANCE WITH § 4–112 OF**
25 **THIS SUBTITLE.**

26 (c) A person may not store or leave a **[loaded]** firearm in a location where the
27 person **[knew]** **KNOWS** or should **[have known]** **KNOW** that **[an unsupervised minor has**
28 **access to the firearm]** **A MINOR IS LIKELY TO GAIN UNSUPERVISED ACCESS TO THE**
29 **FIREARM.**

30 (d) A person who violates this section is guilty of a misdemeanor and on conviction
31 is subject to a fine not exceeding \$1,000.

- 1 (e) [(1)] A violation of this section may not:
- 2 [(i) be considered evidence of negligence;
- 3 (ii) be considered evidence of contributory negligence;
- 4 (iii)] (1) limit liability of a party or an insurer; or
- 5 [(iv)] (2) diminish recovery for damages arising out of the
- 6 ownership, maintenance, or operation of a firearm or ammunition.

7 [(2) A party, witness, or lawyer may not refer to a violation of this section

8 during a trial of a civil action that involves property damage, personal injury, or death.]

9 4-112.

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS

11 INDICATED.

12 (2) "AUTHORIZED USER" MEANS AN INDIVIDUAL WHO:

13 (I) IS NOT PROHIBITED BY STATE OR FEDERAL LAW FROM

14 POSSESSING, RECEIVING, OWNING, OR PURCHASING A FIREARM; AND

15 (II) IS EITHER:

16 1. THE LAWFUL OWNER OF THE FIREARM; OR

17 2. LAWFULLY AUTHORIZED BY THE OWNER OF THE

18 FIREARM TO ACCESS, POSSESS, AND USE THE FIREARM.

19 (3) "CARRIED BY OR UNDER THE DIRECT CONTROL OF" MEANS AN

20 AUTHORIZED USER IS:

21 (I) CARRYING A FIREARM ON THE AUTHORIZED USER'S

22 PERSON; OR

23 (II) CLOSE ENOUGH TO A FIREARM TO READILY PREVENT AN

24 UNAUTHORIZED USER FROM GAINING ACCESS TO THE FIREARM.

25 (4) "FIREARM" HAS THE MEANING STATED IN § 4-104 OF THIS

26 SUBTITLE.

1 **(5) "SECURE STORAGE DEPOSITORY" MEANS A SAFE OR ANOTHER**
2 **SECURE CONTAINER THAT:**

3 **(I) WHEN LOCKED, IS INCAPABLE OF BEING OPENED WITHOUT**
4 **A KEY, A KEYPAD, A COMBINATION, OR ANY OTHER UNLOCKING MECHANISM;**

5 **(II) IS CAPABLE OF PREVENTING AN UNAUTHORIZED USER**
6 **FROM OBTAINING ACCESS TO AND POSSESSION OF A FIREARM CONTAINED INSIDE;**
7 **AND**

8 **(III) IS FIRE-, IMPACT-, AND TAMPER-RESISTANT.**

9 **(6) "UNAUTHORIZED USER" MEANS A PERSON WHO IS NOT AN**
10 **AUTHORIZED USER.**

11 **(B) THIS SECTION DOES NOT APPLY IF:**

12 **(1) ACCESS TO A FIREARM WAS OBTAINED AS A RESULT OF AN**
13 **UNLAWFUL ENTRY INTO REAL PROPERTY; OR**

14 **(2) AN UNAUTHORIZED USER OBTAINS A FIREARM IN A LAWFUL ACT**
15 **OF SELF-DEFENSE OR DEFENSE OF ANOTHER PERSON.**

16 **(C) AN AUTHORIZED USER OF A FIREARM SHALL STORE THE FIREARM IN A**
17 **LOCKED SECURE STORAGE DEPOSITORY WHEN THE FIREARM IS NOT BEING**
18 **CARRIED BY OR UNDER THE DIRECT CONTROL OF THE AUTHORIZED USER.**

19 **(D) A PERSON MAY NOT VIOLATE SUBSECTION (C) OF THIS SECTION.**

20 **(E) A PERSON MAY NOT VIOLATE SUBSECTION (C) OF THIS SECTION**
21 **RESULTING IN AN UNAUTHORIZED USER:**

22 **(1) ACCESSING A FIREARM; AND**

23 **(2) CAUSING SERIOUS BODILY INJURY TO OR DEATH OF A PERSON.**

24 **(F) A PERSON WHO VIOLATES SUBSECTION (D) OF THIS SECTION IS GUILTY**
25 **OF A MISDEMEANOR AND:**

26 **(1) FOR A FIRST CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING**
27 **\$500;**

1 **(2) FOR A SECOND CONVICTION, IS SUBJECT TO A FINE NOT**
2 **EXCEEDING \$1,000; AND**

3 **(3) FOR A THIRD OR SUBSEQUENT CONVICTION:**

4 **(I) IS SUBJECT TO A FINE NOT EXCEEDING \$1,000; AND**

5 **(II) SHALL BE PROHIBITED FROM POSSESSING:**

6 **1. A REGULATED FIREARM UNDER § 5-133 OF THE**
7 **PUBLIC SAFETY ARTICLE;**

8 **2. A HANDGUN QUALIFICATION LICENSE UNDER §**
9 **5-117.1 OF THE PUBLIC SAFETY ARTICLE; AND**

10 **3. A PERMIT UNDER § 5-306 OF THE PUBLIC SAFETY**
11 **ARTICLE.**

12 **(G) A PERSON WHO VIOLATES SUBSECTION (E) OF THIS SECTION IS GUILTY**
13 **OF A MISDEMEANOR AND ON CONVICTION:**

14 **(1) IS SUBJECT TO A FINE NOT EXCEEDING \$1,000; AND**

15 **(2) SHALL BE PROHIBITED FROM POSSESSING:**

16 **(I) A REGULATED FIREARM UNDER § 5-133 OF THE PUBLIC**
17 **SAFETY ARTICLE;**

18 **(II) A HANDGUN QUALIFICATION LICENSE UNDER § 5-117.1 OF**
19 **THE PUBLIC SAFETY ARTICLE; AND**

20 **(III) A PERMIT UNDER § 5-306 OF THE PUBLIC SAFETY ARTICLE.**

21 **(H) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO AFFECT,**
22 **IMPAIR, OR SUPERSEDE ANY RESTRICTION BY A LOCAL JURISDICTION RELATING TO**
23 **THE SECURE STORAGE OF A FIREARM THAT IMPOSES ADDITIONAL REQUIREMENTS**
24 **ON THE OWNER OR CUSTODIAN OF THE FIREARM.**

25 **Article – Public Safety**

26 **5-133.**

27 **(b) Subject to § 5-133.3 of this subtitle, a person may not possess a regulated**
28 **firearm if the person:**

- 1 (1) has been convicted of a disqualifying crime;
- 2 (2) has been convicted of a violation classified as a common law crime and
3 received a term of imprisonment of more than 2 years;
- 4 (3) (i) has been convicted on or after October 1, 2023, of a second or
5 subsequent violation of § 4–104 of the Criminal Law Article; or
- 6 (ii) has been convicted on or after October 1, 2023, of a violation of §
7 4–104 of the Criminal Law Article if the violation resulted in the use of a loaded firearm by
8 a minor causing death or serious bodily injury to the minor or another person;
- 9 (4) subject to subsection (b–1) of this section, is on supervised probation
10 after being convicted:
- 11 (i) of a crime punishable by imprisonment for 1 year or more;
- 12 (ii) for a violation of § 21–902(b) or (c) of the Transportation Article;
13 or
- 14 (iii) for violating a protective order under § 4–509 of the Family Law
15 Article;
- 16 (5) is a fugitive from justice;
- 17 (6) is a habitual drunkard;
- 18 (7) is addicted to a controlled dangerous substance or is a habitual user;
- 19 (8) suffers from a mental disorder as defined in § 10–101(i)(2) of the
20 Health – General Article and has a history of violent behavior against the person or
21 another;
- 22 (9) has been found incompetent to stand trial under § 3–106 of the Criminal
23 Procedure Article;
- 24 (10) has been found not criminally responsible under § 3–110 of the
25 Criminal Procedure Article;
- 26 (11) has been voluntarily admitted for more than 30 consecutive days to a
27 facility as defined in § 10–101 of the Health – General Article;
- 28 (12) has been involuntarily committed to a facility as defined in § 10–101 of
29 the Health – General Article;

1 (13) is under the protection of a guardian appointed by a court under §
2 13–201(c) or § 13–705 of the Estates and Trusts Article, except for cases in which the
3 appointment of a guardian is solely a result of a physical disability;

4 (14) except as provided in subsection (e) of this section, is a respondent
5 against whom:

6 (i) a current non ex parte civil protective order has been entered
7 under § 4–506 of the Family Law Article; or

8 (ii) an order for protection, as defined in § 4–508.1 of the Family Law
9 Article, has been issued by a court of another state or a Native American tribe and is in
10 effect; [or]

11 (15) if under the age of 30 years at the time of possession, has been
12 adjudicated delinquent by a juvenile court for an act that would be a disqualifying crime if
13 committed by an adult; OR

14 **(16) HAS BEEN CONVICTED:**

15 **(I) THREE OR MORE TIMES OF A VIOLATION OF § 4–112(D) OF**
16 **THE CRIMINAL LAW ARTICLE; OR**

17 **(II) ONE OR MORE TIMES OF A VIOLATION OF § 4–112(E) OF THE**
18 **CRIMINAL LAW ARTICLE.**

19 5–306.

20 (d) (1) The Secretary may not issue a permit to a person if the person:

21 (i) has been convicted on or after October 1, 2023, of a second or
22 subsequent violation of § 4–104 of the Criminal Law Article; [or]

23 (ii) has been convicted on or after October 1, 2023, of a violation of §
24 4–104 of the Criminal Law Article if the violation resulted in the use of a loaded firearm by
25 a minor causing death or serious bodily injury to the minor or another person; OR

26 **(III) HAS BEEN CONVICTED:**

27 **1. THREE OR MORE TIMES OF A VIOLATION OF §**
28 **4–112(D) OF THE CRIMINAL LAW ARTICLE; OR**

29 **2. ONE OR MORE TIMES OF A VIOLATION OF § 4–112(E)**
30 **OF THE CRIMINAL LAW ARTICLE.**

1 (2) Subject to paragraph (1) of this subsection, the Secretary may not issue
2 a permit to a person who has been convicted on or after October 1, 2023, of a violation of §
3 4–104 of the Criminal Law Article for 5 years following the date of the conviction.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2026.