

Department of Legislative Services
 Maryland General Assembly
 2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 577
 Judiciary

(Delegate Williams, *et al.*)

Judicial Proceedings

Criminal Law - Firearm Crimes - Machine Gun Convertible Pistols

This bill (1) with specified exceptions, prohibits a person from manufacturing, selling, offering for sale, purchasing, receiving, or transferring a “machine gun convertible pistol” beginning January 1, 2027, and subject to specified exceptions and (2) alters the definition of a rapid fire activator to include a “pistol converter.” As a result of expanded application of an existing penalty, a violator is guilty of a misdemeanor punishable by imprisonment for up to three years and/or a \$5,000 maximum fine. A person who lawfully obtained and possesses a machine gun convertible pistol may sell or otherwise transfer the machine gun convertible pistol to an “immediate family member” who is not prohibited under federal or State law from possessing a firearm, and the immediate family member may purchase or otherwise receive a machine gun convertible pistol from the immediate family member who lawfully obtained the pistol. The Department of State Police (DSP) may adopt regulations to implement the bill’s provisions, including publishing a list of prohibited machine gun convertible pistols.

Fiscal Summary

State Effect: General fund personnel expenditures increase by \$220,200 in FY 2027, as discussed below. Future years reflect annualization, inflation, and ongoing costs. Potential minimal increase in general fund revenues and expenditures increase due to the bill’s expanded application of existing penalty provisions.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	220,200	230,900	241,300	252,000	262,900
Net Effect	(\$220,200)	(\$230,900)	(\$241,300)	(\$252,000)	(\$262,900)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Potential minimal increase in local revenues and expenditures due to the bill's expanded application of existing penalty provisions. Affected local agencies can implement the bill's provisions with existing budgeted resources.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary:

Exceptions

The bill makes corresponding changes to existing exceptions contained in Title 4, Subtitle 3 of the Criminal Law Article to account for machine gun convertible pistols and expands the exceptions to establish that the bill's provisions do not apply to:

- the temporary transfer of a machine gun convertible pistol to a licensed regulated firearms dealer or gunsmith for the purpose of servicing the machine gun convertible pistol;
- the receipt of a machine gun convertible pistol by a licensed regulated firearms dealer or gunsmith for the purpose of servicing the machine gun convertible pistol and the return of the machine gun convertible pistol to its lawful owner by a licensed regulated firearms dealer or gunsmith on the completion of servicing the machine gun convertible pistol;
- the receipt of a machine gun convertible pistol by a law enforcement unit, barracks, or station, a state or local law enforcement agency, or a federally licensed firearms dealer if the person is surrendering the firearm;
- the temporary gratuitous exchange of a machine gun convertible pistol; or
- the sale, offer for sale, purchase, receipt, or transfer of a machine gun convertible pistol to or by person who (1) is currently a law enforcement official, as specified or (2) has retired as a law enforcement official in good standing from a law enforcement agency of the United States, the State, or another state, or a local unit in the State or another state and possesses a valid credential issued under 18 U.S.C. § 926C.

Definitions

“Common household tool” includes a screwdriver, a pipe wrench, pliers, a hacksaw, a crowbar, an electric drill, a rotary tool, a hammer, a chisel, a file, and a crescent wrench.

“Cruciform trigger bar” means a component in a semiautomatic pistol that (1) serves as a link between the trigger and the firing pin and (2) has its sear incorporated into a cross-shaped surface.

“Immediate family member” means a spouse, child, stepchild, parent, stepparent, sibling, or stepsibling.

“Machine gun convertible pistol” means any semiautomatic pistol with a cruciform trigger bar that can be readily converted by hand or by using common household tools into a machine gun by the installation or attachment of a pistol converter as a replacement for the slide’s backplate. “Machine gun convertible pistol” includes a semiautomatic pistol described within the definition of a machine gun convertible pistol above, regardless of whether a tab or other piece of material is located on the rear portion of the pistol frame to block the attachment of a pistol converter, if the tab or other piece of material can be readily removed with a common household tool. “Machine gun convertible pistol” does not include a hammer-fired semiautomatic pistol or a striker-fired semiautomatic pistol without a cruciform trigger bar.

“Pistol converter” means any device or instrument that, when installed in or attached to the rear of the slide of a semiautomatic pistol, replaces the backplate and interferes with the trigger mechanism, which enables the pistol to shoot automatically more than one shot by a single function of the trigger. “Pistol converter” includes a pistol converter manufactured using a three-dimensional printer.

Current Law:

Regulation of Firearms – In General

Title 5 of the Public Safety Article regulates firearms and handguns in the State. A regulated firearm is any handgun or any of the 45 assault weapons (or copies) identified in that title. The Firearm Safety Act of 2013 (Chapter 427) modified and expanded the regulation of firearms, firearms dealers, and ammunition in Maryland and made changes to related mental health restrictions on the possession of firearms. Among other things, the Act extended the scope of assault pistol prohibitions to all assault weapons, created a new licensing scheme for handguns under the authority of DSP, and imposed restrictions on the capacity of detachable magazines and ammunition.

Assault Weapons and Rapid Fire Activators

Among its many provisions, the Firearm Safety Act of 2013 created a definition of “assault weapon,” encompassing assault pistols, assault long guns, and copycat weapons. The Act applied existing prohibitions relating to assault pistols to all assault weapons. With

specified exceptions, transporting, possessing, selling, offering to sell, transferring, purchasing, or receiving any assault weapon is prohibited. A violator is guilty of a misdemeanor punishable by imprisonment for up to three years and/or a \$5,000 maximum fine.

Generally, prohibitions contained in Title 4, Subtitle 3 of the Criminal Law Article (to which the bill is drafted) do not apply to:

- if acting within the scope of official business, personnel of the United States government or a unit of that government, members of the Armed Forces of the United States or of the National Guard, law enforcement personnel of the State or a local unit in the State, or a railroad police officer, as specified;
- a firearm modified to render it permanently inoperative;
- possession, importation, manufacture, receipt for manufacture, shipment for manufacture, storage, purchases, sales, and transport to or by a licensed firearms dealer or manufacturer who is (1) providing or servicing an assault weapon or detachable magazine for an exempted law enforcement unit or for exempted personnel; (2) acting to sell or transfer an assault weapon or detachable magazine to a licensed firearm dealer in another state or to an individual purchaser in another state through a licensed firearms dealer; or (3) acting to return to a customer in another state an assault weapon transferred to the licensed firearms dealer or manufacturer under the terms of a warranty or for repair;
- organizations that are required or authorized by federal law governing their specific business or activity to maintain assault weapons and applicable ammunition and detachable magazines;
- the receipt of an assault weapon or detachable magazine by inheritance, and possession of the inherited assault weapon or detachable magazine, if the decedent lawfully possessed the assault weapon or detachable magazine and the person inheriting the assault weapon or detachable magazine is not otherwise disqualified from possessing a regulated firearm;
- the receipt of an assault weapon or detachable magazine by a personal representative of an estate for purposes of exercising the powers and duties of a personal representative of an estate;
- possession by a person who is retired in good standing from service with a law enforcement agency of the State or a local unit in the State and is not otherwise prohibited from receiving an assault weapon or detachable magazine if (1) the assault weapon or detachable magazine is sold or transferred to the person by the law enforcement agency on retirement or (2) the assault weapon or detachable magazine was purchased or obtained by the person for official use with the law enforcement agency before retirement;

- possession or transport by an employee of an armored car company if the individual is acting within the scope of employment and has a permit issued, as specified; or
- possession, receipt, and testing by, or shipping to or from (1) an ISO 17025 accredited, National Institute of Justice-approved ballistics testing laboratory or (2) a facility or entity that manufactures or provides research and development testing, analysis, or engineering for personal protective equipment or vehicle protection systems.

In addition, a person who lawfully possessed an assault pistol before June 1, 1994, and who registered the pistol with DSP before August 1, 1994, may continue to possess and transport the assault pistol. A person who lawfully possessed, had a purchase order for, or completed an application to purchase an assault long gun or a copycat weapon before October 1, 2013, is allowed to continue to possess and transport the weapon. A licensed firearms dealer may continue to possess, sell, offer for sale, or transfer an assault long gun or a copycat weapon that the dealer lawfully possessed on or before October 1, 2013. Chapter 427 also clarified when the inheritance of a prohibited assault weapon is permitted.

A person who uses an assault weapon, a rapid fire activator, or a magazine that has a capacity of more than 10 rounds of ammunition in the commission of a felony or a crime of violence (as defined in § 5-101 of the Public Safety Article) is guilty of a misdemeanor and, in addition to any other sentence imposed for the felony or crime of violence, must be sentenced as follows:

- for a first violation, a nonsuspendable, nonparolable, mandatory minimum sentence of 5 years with a maximum imprisonment of 20 years; and
- for each subsequent violation, a mandatory minimum sentence of 10 years with a maximum imprisonment of 20 years (the sentence imposed must be consecutive to and not concurrent with any other sentence imposed for the underlying felony or crime of violence).

A person may not manufacture, sell, offer for sale, purchase, receive, or transfer a detachable magazine that has a capacity of more than 10 rounds of ammunition for a firearm. In addition, a person may not (1) transport a rapid fire activator into the State or (2) manufacture, possess, sell, offer to sell, transfer, purchase, or receive a rapid fire activator. A violator of either provision is guilty of a misdemeanor and on conviction is subject to maximum penalties of imprisonment for three years and/or a \$5,000 fine.

A person may continue to possess a rapid fire activator if, among other things, the person (1) possessed the rapid fire activator before October 1, 2018; (2) applied to the federal Bureau of Alcohol, Tobacco, Firearms and Explosives before October 1, 2018, for authorization to possess a rapid fire activator; (3) received authorization to possess a rapid

fire activator from the federal Bureau of Alcohol, Tobacco, Firearms and Explosives before October 1, 2019; and (4) is in compliance with all federal requirements for possession of a rapid fire activator.

Nothing in the provisions pertaining to rapid fire activators under § 4-305.1 of the Criminal Law Article is intended to prohibit the otherwise lawful possession of a part or combination of parts by (1) a police officer or other person employed by a law enforcement agency under circumstances in which the officer or other person possesses the part or parts in accordance with authorization given by the law enforcement agency or (2) a person who has registered a machine gun with the Secretary of State Police, as specified, if the part or parts are possessed for use in only, and necessary for the proper function of, a machine gun that is currently registered by the person, as specified.

“Rapid fire activator” means any device, including a removable manual or power-driven activating device, constructed so that, when installed in or attached to a firearm (1) the rate at which the trigger is activated increases or (2) the rate of fire increases. “Rapid fire activator” includes a bump stock, trigger crank, hellfire trigger, binary trigger system, burst trigger system, switch/auto-sear, or a copy or a similar device, regardless of the producer or manufacturer, but does not include a semiautomatic replacement trigger that improves the performance and functionality over the stock trigger.

“Switch/auto-sear” means a device that applies force to a firearm’s trigger bar to prevent it from limiting the weapon to firing only one round each time the trigger is depressed.

Machine Guns

Title 4 of the Criminal Law Article contains provisions relating to the use or possession of a firearm, including prohibitions pertaining to machine guns. Among other restrictions, the Uniform Machine Gun Act requires a person who acquires a machine gun to register the machine gun with the Secretary of State Police within 24 hours after acquiring the machine gun and in each succeeding year during the month of May. In addition, the Act prohibits a person from using or possessing a machine gun in the commission or attempted commission of a crime of violence (as defined in § 4-401 of the Criminal Law Article). Violators are guilty of a felony, punishable by imprisonment for up to 20 years. The Act also prohibits a person from possessing or using a machine gun for an offensive or aggressive purpose. Possession or use of a machine gun is presumed to be for an offensive or aggressive purpose if, among other things, the machine gun is in the possession of, or used by, an unnaturalized foreign-born person or a person who has been convicted of a crime of violence in any state or federal court of the United States. Violators are guilty of a misdemeanor, punishable by imprisonment for up to 10 years. “Machine gun” means a loaded or unloaded weapon that is capable of automatically discharging more than one shot or bullet from a magazine by a single function of the firing device.

Handgun Roster Board

The Handgun Roster Board is an entity within DSP. The board must (1) compile and maintain a handgun roster of authorized handguns that are useful for legitimate sporting, self-protection, or law enforcement purposes; (2) annually publish the handgun roster in the Maryland Register; and (3) semiannually send a copy of the handgun roster to all persons who hold a State-regulated firearms dealer's license in the State. In general, a person may not manufacture, distribute, or sell a handgun in the State that is not included on the handgun roster.

The board must consider carefully each of the following characteristics of a handgun without placing undue weight on any one characteristic in determining whether any handgun should be placed on the handgun roster: (1) concealability; (2) ballistic accuracy; (3) weight; (4) quality of materials; (5) quality of manufacture; (6) reliability as to safety; (7) caliber; (8) detectability by the standard security equipment that is commonly used at an airport or courthouse and that is approved by the Federal Aviation Administration for use at U.S. airports; and (9) utility for legitimate sporting activities, self-protection, or law enforcement

State Fiscal Effect:

Department of State Police

DSP reports that (1) there are more than 5,000 handgun models currently included on the handgun roster; (2) the Handgun Roster Board receives approximately 120 new petitions to add a firearm to the roster annually; and (3) board members are not experts relating to the components of firearms.

The board evaluates handguns for sale in the State but does not review individual components of firearms, which DSP must do in order to develop the regulations. While the cruciform trigger bar is a key internal component within the trigger mechanism of handguns manufactured by Glock Inc., it and similar components have been incorporated within other firearms. Thus, based on information from DSP, at least half of the firearms included on the handgun roster need to be evaluated in order to determine whether (1) the firearm contains a cruciform trigger bar; (2) the firearm can be modified to block the addition of a pistol converter with a common household tool; and (3) the firearm needs to be included on the list of prohibited machine gun convertible pistols.

The bill *authorizes* DSP to adopt regulations to implement the bill and publish a list of prohibited machine gun convertible pistols. While there is no deadline for the regulations and list, the bill's prohibitions take effect January 1, 2027. DSP advises that if it can develop the list on its own timeline over an extended period of time, the department can

likely reallocate existing resources to implement the bill. DSP did not specify a projected completion date for the list if existing resources are used.

However, the Department of Legislative Services advises that enforcement of the bill's prohibition requires the list be available in a timely manner. Without the list, it is difficult for law enforcement officers, firearms dealers, and members of the public to be able to identify prohibited firearms. With respect to legislation *requiring* DSP to develop the list by January 1, 2027, DSP advised that it requires additional personnel for its licensing division. Despite the bill's authorizing language, this estimate assumes that enforcement of the bill requires completion of the list in a more expedited manner than is possible with existing DSP resources.

Thus, general fund expenditures increase by \$220,216 in fiscal 2027, which accounts for the bill's October 1, 2026 effective date. This estimate reflects the cost of hiring one trooper and one administrative officer to (1) review firearms currently included on the handgun roster to determine which firearms meet the bill's prohibitions; (2) review all new petitions received annually by the Handgun Roster Board; and (3) prepare the regulations and annually update the list of prohibited machine gun convertible pistols. It includes salaries, fringe benefits, one-time start-up costs, ongoing operating expenses, and a vehicle for the trooper.

Positions	2.0
Salaries and Fringe Benefits	\$176,934
Vehicle	25,000
Other Operating Expenses	<u>18,282</u>
Total FY 2027 State Expenditures	\$220,216

Future year expenditures reflect full salaries with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

Other State Agencies

The Judiciary and other affected State agencies can implement the bill's provisions with existing budgeted resources.

Small Business Effect: The bill may have a meaningful impact on small businesses with firearms licenses to the extent that they are unable to manufacture, sell, offer for sale, purchase, receive, or transfer convertible pistols or pistol converters as a result of the bill.

Additional Comments: Given the volume of firearms that likely need to be evaluated in order to prepare the list of prohibited machine gun convertible pistols, it is unlikely that

DSP can complete the list by January 1, 2027, the date on which the bill's prohibitions take effect.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 334 (Senator Love, *et al.*) - Judicial Proceedings.

Information Source(s): Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

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