

# HOUSE BILL 1123

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By: **Delegates Stinnett, Addison, Kaufman, Simmons, and Wims**

Introduced and read first time: February 11, 2026

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Minor’s Access to Firearms – Penalty**

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

6 BY repealing and reenacting, with amendments,  
7 Article – Criminal Law  
8 Section 4–104  
9 Annotated Code of Maryland  
10 (2021 Replacement Volume and 2025 Supplement)

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

13 **Article – Criminal Law**

14 4–104.

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

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

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) This section does not apply if:

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

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

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

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

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

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

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

(i) be considered evidence of negligence;

(ii) be considered evidence of contributory negligence;

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

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

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

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