

HOUSE BILL 1158

D3

5lr2799
CF 5lr3093

By: **Delegate Phillips**

Introduced and read first time: February 6, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions Against Firearm Industry Members – Private Right of Action**

3 FOR the purpose of authorizing certain persons to bring an action against a firearm
4 industry member for certain violations; and generally relating to civil actions against
5 firearm industry members.

6 BY repealing and reenacting, without amendments,
7 Article – Courts and Judicial Proceedings
8 Section 3–2502
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2024 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Courts and Judicial Proceedings
13 Section 3–2503
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2024 Supplement)

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

18 **Article – Courts and Judicial Proceedings**

19 3–2502.

20 (a) A firearm industry member may not knowingly create, maintain, or contribute
21 to harm to the public through the sale, manufacture, distribution, importation, or
22 marketing of a firearm–related product by engaging in conduct that is:

23 (1) Unlawful; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) Unreasonable under the totality of the circumstances.

(b) A firearm industry member shall establish and implement reasonable controls regarding the sale, manufacture, distribution, importation, marketing, possession, and use of the firearm industry member's firearm-related products.

(c) A violation of this section is a public nuisance.

3–2503.

(a) (1) Subject to paragraph (2) of this subsection, the Attorney General, a county attorney, or the Baltimore City Solicitor may bring an action against a firearm industry member for a public nuisance caused by a violation of § 3–2502 of this subtitle.

(2) In an action brought under this subsection, the Attorney General, county attorney, or Baltimore City Solicitor may seek:

(i) Injunctive relief;

(ii) Restitution;

(iii) Compensatory and punitive damages;

(iv) Reasonable attorney's fees and costs; and

(v) Any other appropriate relief.

(B) (1) A PERSON MAY BRING AN ACTION FOR DAMAGES AGAINST A FIREARM INDUSTRY MEMBER FOR INJURY OR LOSS SUSTAINED AS A RESULT OF A VIOLATION OF § 3–2502 OF THIS SUBTITLE.

(2) A PERSON WHO BRINGS AN ACTION UNDER THIS SUBSECTION MAY SEEK AND BE AWARDED:

(I) INJUNCTIVE RELIEF;

(II) COMPENSATORY AND PUNITIVE DAMAGES; AND

(III) REASONABLE ATTORNEY'S FEES AND COSTS.

(3) A PERSON WHO BRINGS AN ACTION UNDER THIS SUBSECTION SHALL, WITHIN 5 DAYS AFTER FILING THE COMPLAINT:

(I) NOTIFY THE ATTORNEY GENERAL THAT THE PERSON HAS BROUGHT THE ACTION; AND

1 **(II) PROVIDE THE ATTORNEY GENERAL WITH A COPY OF THE**
2 **COMPLAINT AND ANY OTHER DOCUMENTS OR PLEADINGS FILED WITH THE**
3 **COMPLAINT.**

4 **[(b)] (C)** A party seeking relief under this section is not required to prove that a
5 firearm industry member acted with the intent to violate this subtitle.

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