

# HOUSE BILL 720

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By: **Delegates Smigiel, Afzali, Arentz, Cluster, Dwyer, Fisher, Glass, Jacobs, McComas, McDermott, W. Miller, O'Donnell, Otto, and Schulz**

Introduced and read first time: January 31, 2014

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Handgun Permits – Training Requirement**

3 FOR the purpose of repealing the requirement that a certain applicant renewing a  
4 permit to carry, wear, or transport a handgun complete a certain training  
5 requirement; exempting a certain applicant for a permit to carry, wear, or  
6 transport a handgun from a certain training requirement under certain  
7 circumstances; and generally relating to the issuing of permits to carry, wear, or  
8 transport a handgun.

9 BY repealing and reenacting, with amendments,  
10 Article – Public Safety  
11 Section 5–306  
12 Annotated Code of Maryland  
13 (2011 Replacement Volume and 2013 Supplement)

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

16 **Article – Public Safety**

17 5–306.

18 (a) Subject to subsection (c) of this section, the Secretary shall issue a permit  
19 within a reasonable time to a person who the Secretary finds:

20 (1) is an adult;

21 (2) (i) has not been convicted of a felony or of a misdemeanor for  
22 which a sentence of imprisonment for more than 1 year has been imposed; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) if convicted of a crime described in item (i) of this item, has  
2 been pardoned or has been granted relief under 18 U.S.C. § 925(c);

3 (3) has not been convicted of a crime involving the possession, use, or  
4 distribution of a controlled dangerous substance;

5 (4) is not presently an alcoholic, addict, or habitual user of a controlled  
6 dangerous substance unless the habitual use of the controlled dangerous substance is  
7 under legitimate medical direction;

8 (5) except as provided in subsection (b) of this section, has successfully  
9 completed prior to application [and each renewal,] a firearms training course  
10 approved by the Secretary that includes:

11 (i) [1. for an initial application,] a minimum of 16 hours of  
12 instruction by a qualified handgun instructor; [or

13 2. for a renewal application, 8 hours of instruction by a  
14 qualified handgun instructor;]

15 (ii) classroom instruction on:

16 1. State firearm law;

17 2. home firearm safety; and

18 3. handgun mechanisms and operation; and

19 (iii) a firearms qualification component that demonstrates the  
20 applicant's proficiency and use of the firearm; and

21 (6) based on an investigation:

22 (i) has not exhibited a propensity for violence or instability that  
23 may reasonably render the person's possession of a handgun a danger to the person or  
24 to another; and

25 (ii) has good and substantial reason to wear, carry, or transport  
26 a handgun, such as a finding that the permit is necessary as a reasonable precaution  
27 against apprehended danger.

28 (b) An applicant for a permit is not required to complete a certified firearms  
29 training course under subsection (a) of this section if the applicant:

30 (1) is a law enforcement officer or a person who is retired in good  
31 standing from service with a law enforcement agency of the United States, the State,  
32 or any local law enforcement agency in the State;

1           (2) is a member, retired member, or honorably discharged member of  
2 the armed forces of the United States or the National Guard;

3           (3) [is a qualified handgun instructor; or

4           (4)] has completed a firearms training course approved by the  
5 Secretary;

6           **(4) POSSESSES A VALID OUT-OF-STATE PERMIT TO CARRY A**  
7 **CONCEALED HANDGUN FOR WHICH THE APPLICANT HAD TO COMPLETE A**  
8 **FIREARMS SAFETY COURSE;**

9           **(5) CURRENTLY OR FORMERLY POSSESSED A PERMIT TO CARRY,**  
10 **WEAR, OR TRANSPORT A HANDGUN ISSUED UNDER THIS SUBTITLE, UNLESS THE**  
11 **PERMIT WAS REVOKED UNDER § 5-310 OF THIS SUBTITLE; OR**

12           **(6) IS A QUALIFIED HANDGUN INSTRUCTOR.**

13           (c) An applicant under the age of 30 years is qualified only if the Secretary  
14 finds that the applicant has not been:

15           (1) committed to a detention, training, or correctional institution for  
16 juveniles for longer than 1 year after an adjudication of delinquency by a juvenile  
17 court; or

18           (2) adjudicated delinquent by a juvenile court for:

19                   (i) an act that would be a crime of violence if committed by an  
20 adult;

21                   (ii) an act that would be a felony in this State if committed by  
22 an adult; or

23                   (iii) an act that would be a misdemeanor in this State that  
24 carries a statutory penalty of more than 2 years if committed by an adult.

25           (d) The Secretary may issue a handgun qualification license, without an  
26 additional application or fee, to a person who:

27           (1) meets the requirements for issuance of a permit under this section;  
28 and

29           (2) does not have a handgun qualification license issued under §  
30 5-117.1 of this title.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2014.