

# SENATE BILL 407

E4

5lr2203

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By: **Senators Brochin, Cassilly, Hough, Muse, Norman, and Ready**

Introduced and read first time: February 6, 2015

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Handgun Permits**

3 FOR the purpose of requiring the Secretary of the State Police to issue a certain handgun  
4 permit within a certain time period under certain circumstances; requiring the  
5 Secretary to provide a certain notice, in writing, regarding a certain handgun permit  
6 application within a certain time period; and generally relating to handgun permits.

7 BY repealing and reenacting, with amendments,  
8 Article – Public Safety  
9 Section 5–306  
10 Annotated Code of Maryland  
11 (2011 Replacement Volume and 2014 Supplement)

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

14 **Article – Public Safety**

15 5–306.

16 (a) Subject to subsection (c) of this section, the Secretary shall issue a permit  
17 within [a reasonable time] **120 DAYS AFTER RECEIPT OF AN APPLICATION** to a person  
18 who the Secretary finds:

19 (1) is an adult;

20 (2) (i) has not been convicted of a felony or of a misdemeanor for which  
21 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 been  
2 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 under  
7 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 approved by  
10 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 may  
23 reasonably render the person's possession of a handgun a danger to the person or to  
24 another; and

25 (ii) has good and substantial reason to wear, carry, or transport a  
26 handgun, such as a finding that the permit is necessary as a reasonable precaution against  
27 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 standing  
31 from service with a law enforcement agency of the United States, the State, or any local  
32 law enforcement agency in the State;

1           (2) is a member, retired member, or honorably discharged member of the  
2 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 Secretary.

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

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

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

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

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

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

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

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

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

20           **(E) (1) THE SECRETARY SHALL NOTIFY, IN WRITING, EACH APPLICANT**  
21 **FOR A PERMIT OF THE DECISION TO APPROVE OR DENY A PERMIT WITHIN 120 DAYS**  
22 **AFTER RECEIPT OF THE APPLICATION.**

23           **(2) FOR EACH APPLICATION THAT IS DENIED, THE SECRETARY SHALL**  
24 **PROVIDE THE REASON FOR THE DENIAL IN THE NOTICE REQUIRED IN PARAGRAPH**  
25 **(1) OF THIS SUBSECTION.**

26           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2015.