

SENATE BILL 746

E4

9lr2606

By: **Senators Harris, Colburn, Greenip, Jacobs, Kittleman, Munson, Stoltzfus, and Stone**

Introduced and read first time: February 6, 2009

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Citizens Self-Defense Act**

3 FOR the purpose of adding self-defense as a good and substantial reason for the
4 Secretary of State Police to issue a permit to a person to wear, carry, or
5 transport a handgun; and generally relating to wearing, carrying, or
6 transporting a handgun.

7 BY repealing and reenacting, with amendments,
8 Article – Public Safety
9 Section 5–306(a)
10 Annotated Code of Maryland
11 (2003 Volume and 2008 Supplement)

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

14 **Article – Public Safety**

15 5–306.

16 (a) Subject to subsection (b) of this section, the Secretary shall issue a permit
17 within a reasonable time to a person who the Secretary finds:

18 (1) is an adult;

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

6 (5) based on an investigation:

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

10 (ii) has good and substantial reason to wear, carry, or transport
11 a handgun, such as **SELF-DEFENSE OR** a finding that the permit is necessary as a
12 reasonable precaution against apprehended danger.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2009.