

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 717
Judiciary

(Delegate Smigiel, *et al.*)

Public Safety - Firearms Safety Training - Demonstration Component

This bill repeals a requirement that a specified firearms safety training course necessary for the issuance of a handgun qualification license (HQL) include a firearms orientation component that demonstrates the person's safe operation and handling of a firearm. The bill also repeals a requirement that a specified firearms training course necessary for the issuance of a permit to carry, wear, or transport a handgun include a firearms qualification component that demonstrates the applicant's proficiency and use of the firearm.

Fiscal Summary

State Effect: The bill's changes are not anticipated to materially affect State operations or finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law:

Handgun Permits

Generally, with certain exceptions, to be issued a permit to carry a handgun by the Secretary of State Police, an applicant (1) must be 18 or older; (2) must not have been convicted of a felony or misdemeanor for which a sentence of imprisonment for more

than one year has been imposed or, if convicted, must have been pardoned or been granted relief under federal law; (3) if the person is younger than 30, must not have been committed to a facility for juveniles for longer than one year or adjudicated delinquent for a crime of violence, a felony, or misdemeanor that carries a statutory penalty of more than two years; (4) must not have been convicted of a controlled dangerous substance violation and must not presently be an addict, a habitual user of a controlled dangerous substance, or an alcoholic; (5) must not exhibit a propensity for violence or instability which may reasonably render possession of a handgun a danger to the applicant or another; and (6) must have a good and substantial reason to wear, carry, or transport a handgun. “Good and substantial reason” includes a finding that the permit is necessary as a reasonable precaution against apprehended danger. The Secretary may limit the geographic area; circumstances; or times of day, week, month, or year in which a permit is effective.

A handgun permit application costs \$75; two years after the initial permit and every three years thereafter, a \$50 renewal fee is due. In addition, the applicant must pay for fingerprint-based federal and State criminal history background checks for initial applications and renewals.

Chapter 427 of 2013 (the Firearm Safety Act of 2013) requires a handgun permit applicant to successfully complete prior to the application and each renewal, a firearms training course approved by the Secretary that includes (1) for an initial application, a minimum of 16 hours of instruction by a qualified handgun instructor, or 8 hours of instruction for a renewal application; (2) classroom instruction on State firearm law, home firearm safety, and handgun mechanisms and operation; and (3) a firearms qualification component that demonstrates the applicant’s proficiency and use of the firearm. An applicant is not required to complete a firearms training course if the applicant has previously completed a certified firearms training course; is currently a qualified handgun instructor; is a current, retired, or honorably discharged member of the U.S. Armed Forces or the National Guard; or is a current or retired law enforcement officer.

Handgun Qualification License

Chapter 427 also created a new licensing scheme for handguns under the licensing authority of the Department of State Police (DSP). DSP recently adopted regulations to implement the Act’s provisions related to this new license. An (HQL) authorizes a person to purchase, rent, or receive a handgun. Among other requirements, an applicant for an HQL must demonstrate satisfactory completion, within three years prior to the submission of the application, of a firearms safety training course approved by DSP. Approved firearms safety training courses must include (1) a minimum of four hours of instruction by a qualified handgun instructor; (2) classroom instruction on State firearm

law, home firearm safety, and handgun mechanisms and operation; and (3) a firearms orientation component that demonstrates the person's safe operation and handling of a firearm.

An applicant for a HQL is not required to complete an approved firearms safety training course if the applicant has previously completed a certified firearms training course, has completed a hunting safety course prescribed by the Department of Natural Resources, is currently a qualified handgun instructor, is an honorably discharged member of the U.S. Armed Forces or the National Guard, is an employee of an armored car company with a State permit to possess or transport a regulated firearm, or lawfully owns a regulated firearm. Renewal applicants are not required to complete the firearms safety training course.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Natural Resources, Department of State Police, Department of Public Safety and Correctional Services, Department of Legislative Services

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mc/lgc

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