

HOUSE BILL 800

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By: **Delegates K. Kelly, Cluster, Glass, Hough, McComas, McDermott, Parrott, and Smigiel**

Introduced and read first time: February 3, 2014

Assigned to: Judiciary

A BILL ENTITLED

AN ACT concerning

Public Safety – Handgun Permits – Training Requirement for Renewal Applications

FOR the purpose of repealing the requirement that an applicant for the renewal of a permit to carry, wear, or transport a handgun complete a certain firearms training course; and generally relating to handgun permits.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–306(a) and (b)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

Article – Public Safety

5–306.

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

(1) is an adult;

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

(ii) if convicted of a crime described in item (i) of this item, has 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.



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

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

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

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

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

(ii) classroom instruction on:

1. State firearm law;

2. home firearm safety; and

3. handgun mechanisms and operation; and

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

(6) based on an investigation:

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

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

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

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

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

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

(4) IS FILING A RENEWAL APPLICATION; OR

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

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