

SENATE BILL 1040

E4

6lr3719
CF HB 1000

By: **Senators Rosapepe, Feldman, Ferguson, Madaleno, Manno, McFadden, Pugh,
and Raskin**

Introduced and read first time: February 17, 2016

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Firearms – Terrorist Watchlist**

3 FOR the purpose of prohibiting the Secretary of State Police from issuing a permit to carry,
4 wear, or transport a handgun to a person who is on the Terrorist Watchlist; and
5 generally relating to firearms.

6 BY repealing and reenacting, without amendments,

7 Article – Public Safety

8 Section 5–301(a) and (d)

9 Annotated Code of Maryland

10 (2011 Replacement Volume and 2015 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Public Safety

13 Section 5–306(a)

14 Annotated Code of Maryland

15 (2011 Replacement Volume and 2015 Supplement)

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

18 **Article – Public Safety**

19 5–301.

20 (a) In this subtitle the following words have the meanings indicated.

21 (d) “Permit” means a permit issued by the Secretary to carry, wear, or transport
22 a handgun.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 5-306.

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

4 (1) is an adult;

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

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

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

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

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

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

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

21 (ii) classroom instruction on:

22 1. State firearm law;

23 2. home firearm safety; and

24 3. handgun mechanisms and operation; and

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

27 (6) based on an investigation:

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

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

4 (7) IS NOT LISTED ON THE TERRORIST WATCHLIST MAINTAINED BY
5 THE TERRORIST SCREENING CENTER OF THE FEDERAL BUREAU OF
6 INVESTIGATION.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2016.