

JoeDrury_FAV_SB880

Uploaded by: Drury, Joe

Position: FAV

Maryland Senate Judicial Proceedings Committee
Senator William C. Smith, Jr., Chair
Miller Senate Office Building, 2 East
11 Bladen St., Annapolis, MD 21401
2/25/2020

Re: Support-SB880 – Firearms –Dealer’s license and Handgun Permit
-notice of expiration

Dear Chairman Smith and & members of the committee:

In September of 2016, I submitted an application for a Maryland Concealed Carry Handgun Permit. I completed all of the requirements and received my permit (license # 438-93304) in 2017, which was a two year license. However, I failed to renew my license and it expired on 8/31/2019. My failure to renew was because I didn’t realize that the permit holder must initiate the renewal process. The Maryland State Police DOES NOT issue a renewal notice to inform the permit holder of an upcoming renewal. In the busy world that we now live, nearly every license of every kind issues a notice to inform so a renewal can be processed (Maryland Driver’s license, all insurance policies etc.). It is of my very strong opinion, the Maryland State Police should issue a notice of renewal so that the license holder is notified prior to the renewal.

Sincerely,

Joseph M. Drury
PO Box 327
Leonardtown, MD 20650
Jmd1967@yahoo.com

jhjosselyn_FAV_SB880

Uploaded by: JOSSELYN, JOHN

Position: FAV



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SB 0880
Firearms - Dealer's License and Handgun Permit -
Notice of Expiration
FAVORABLE

For many decades, the State of Maryland has sent notices regarding property tax payment due dates, drivers' license renewal dates, automobile registration renewals, lobbyist registration renewals, and a host of other matters involving the State.

Such has never been the case with licensed firearms dealer's licenses, handgun permits, Class III firearm registrations; and soon, HQL license renewals.

Given the current state of automation in the Maryland State Police Licensing Division, there is no valid reason to not send renewal notices for these required renewals.

We ask for a favorable report on SB 0880.

John H. Josselyn, Director

2A Maryland

February 26, 2020

SenatorBailey_FAV_SB880

Uploaded by: Senator Bailey, Senator Bailey

Position: FAV

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Education, Health, and
Environmental Affairs Committee



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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February 26, 2020

Senate Bill 880 – Firearms – Dealer's License and Handgun Permit – Notice of Expiration

Dear Chairman Smith and Members of the Committee:

I am writing to introduce Senate Bill 880 – Firearms – Dealer's License and Handgun Permit – Notice of Expiration. Senate Bill 880 requires the Secretary of State Police to provide notice to a holder of a firearms dealer's license and to a holder of a handgun permit of the impending expiration of the dealer's license or handgun permit at least 60 days before the expiration of the license or permit.

This issue was brought to me by a constituent who held a handgun permit. He received no notification before the expiration of his permit, and the permit expired. As a result, he and anyone else whose handgun permit expires must go through the entire application process again as if they are being issued a new permit. In the process of drafting this bill to address this issue, I also learned that holders of a firearm dealer's license also is not informed before the expiration of their licenses. There are nearly 27,000 handgun permit holders in the State of Maryland. These permits do not all expire at the same time; some expire after two years and some expire after three years. I am aware that the State Police's systems are now automated, but that does nothing for the nearly 27,000 permit holders who expire during the next three calendar years.

The state currently provides a renewal notice for other licenses that are issued by the state such as Driver's Licenses, car registrations, trailer registrations, and boat registrations. I believe that holders of handgun permits and dealer's licenses should be afforded the same notice.

I respectfully request a favorable report on Senate Bill 880. Thank you for your consideration.

Sincerely,

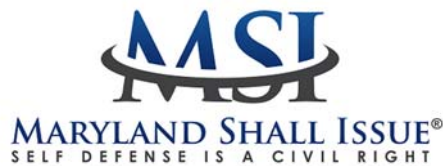
A handwritten signature in black ink, appearing to read 'J. Bailey'.

Senator Jack Bailey
District 29
Calvert and St. Mary's Counties

Pennak_President_MSI_FAV_SB880

Uploaded by: Pennak, Mark

Position: FWA



February 26, 2020

WRITTEN TESTIMONY OF MARK W. PENNAK, PRESIDENT, MSI, IN OPPOSITION TO SB 880

I am the President of Maryland Shall Issue (“MSI”). Maryland Shall Issue is an all-volunteer, non-partisan organization dedicated to the preservation and advancement of gun owners’ rights in Maryland. It seeks to educate the community about the right of self-protection, the safe handling of firearms, and the responsibility that goes with carrying a firearm in public. I am also an attorney and an active member of the Bar of Maryland and of the Bar of the District of Columbia. I recently retired from the United States Department of Justice, where I practiced law for 33 years in the Courts of Appeals of the United States and in the Supreme Court of the United States. I am an expert in Maryland firearms law, federal firearms law and the law of self-defense. I am also a Maryland State Police certified handgun instructor for the Maryland Wear and Carry Permit and the Maryland Handgun Qualification License (“HQL”) and a certified NRA instructor in rifle, pistol, personal protection in the home, personal protection outside the home and in muzzle loader. I appear today as President of MSI in support of SB 880.

This bill simply amends MD Code Public Safety § 5-111 and MD Code Public Safety § 5-309 to direct the Maryland State Police to mail a notice of renewal for State firearms licenses and to holders of a Maryland wear and carry permit at least 60 days prior to the expiration of these licenses. These amendments are imminently sensible. Allowing these licenses to expire inadvertently usually means that the licensee must start all over from scratch, as if there had never been any license at. Other states provide notice to licensees, including carry permits issued to out of state residents.

For example, 42 states, including states such as Florida, Utah, Virginia, Pennsylvania, issue carry permits and many, if not most, of these states provide renewal notices. Florida has issued nearly permits to over 2 million persons and manages to provide notice of renewal to each of these persons. <https://www.tampabay.com/florida-politics/2019/04/11/florida-nears-milestone-2-million-concealed-weapon-permit-holders/>. As of 2016, Utah had issued approximately 663,000 carry permits. https://www.standard.net/police-fire/utah-concealed-weapons-permits-now-numbering-k-see-surge-in/article_04739588-b02c-5d93-91a9-62c0e1ece68b.html. It likewise provides renewal notices. Pennsylvania has issued over 1 million carry permits. It likewise provides renewal notices, albeit from the County Sheriffs, who are the issuing authority under Pennsylvania law. See generally https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3463357&download=yes.

In contrast, Maryland has issued a little more than 27,000 carry permits, which is a tiny fraction of the number of permits issued in these other states. If other states can issue renewal notices, there is no apparent reason that the State Police in Maryland cannot do likewise. It is simply matter of sending out automated notices generated by a computer. That information is already being automated in Maryland for carry permits. Indeed, as of

October 1, 2019, the State Police moved to a fully automated application and renewal process for carry permits.

<https://mdsp.maryland.gov/Organization/Pages/CriminalInvestigationBureau/LicensingDivision/Firearms/WearandCarryPermit.aspx>. The renewal period in Maryland is 2 years for the first renewal and 3 years for subsequent renewals for carry permits. See MD Code, Public Safety, § 5-309. Thus, within 3 years, all the data, including expiration dates, for every existing permit holder will be fully incorporated into this automated system. There is no reason that the State Police cannot use that automated process to generate renewal notices for every person whose data is stored within that automated system. The cost would truly be *de minimis*.

While the State Police have not yet automated their dealers' licenses application and renewal process, the State Police will undoubtedly will do so soon, just as the State Police has automated the carry permit process and the process for purchasing a regulated firearm and the process for issuing Handgun Qualification Licenses. See

<https://mdsp.maryland.gov/Organization/Licensing%20Division%20Documents/LD-FRU-16-002A%20Automation%20Update.pdf>. Indeed, the Maryland State Police have already created an on-line Licensing Portal which will could (and probably will) be used for this purpose. See

<https://mdsp.maryland.gov/Organization/Pages/CriminalInvestigationBureau/LicensingDivision/Portal.aspx> ("In accordance with the Firearms Safety Act of 2013, the Maryland State Police have developed a web/mobile accessible Licensing Portal where citizens may submit, and Maryland firearms dealers have the ability to access, firearms applications. The Portal is a web 'dashboard' that provides citizens the ability to submit and track multiple application types."). Upon incorporation of dealers' licenses into that automated process, the State Police could easily generate automated renewal notices to dealers as well. We urge a favorable report.

Sincerely,



Mark W. Pennak
President, Maryland Shall Issue, Inc.
mpennak@marylandshallissue.org

MSP_INFO_SB880

Uploaded by: State Police, Maryland

Position: INFO



State of Maryland
Department of State Police
Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: February 26, 2020

BILL NUMBER: Senate Bill 880 **POSITION:** Letter of Information

BILL TITLE: Firearms – Dealer’s License and Handgun Permit – Notice of Expiration

REVIEW AND ANALYSIS:

This legislation seeks to require the Secretary of the Department of State Police to provide notice to a firearm’s dealer and handgun permit holders 60 days prior to the expiration of their license.

Firearms dealers renew their licenses in June of each year. The Department asked all licensed dealers to provide a valid email address or sign up to e-gov, a web based notification site. In either manner, the dealer can access updates to firearms regulation, training notices and approaching renewal requirements.

The Licensing Division as part of its ongoing modernization launched an electronic, web-based application program on October 1, 2019. The new system is required for all new applications or renewal of handgun permits to be completed on-line. Any applicant who uses the on-line system will be notified via email when their renewal is due.

There are currently 27,571 active handgun permits issued in Maryland. In three years all of the permit holders will have completed their renewal on-line and notifications will be automatically sent. In the meantime, the Department would have to hand search every application on file to search for each applicant’s renewal date, as the renewal is on the applicant’s birthday. These applications are filed by application number, there is no correlation to the expiration date.