

SENATE BILL 33

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2002 Regular Session
2lr0730

(PRE-FILED)

By: **Senator Haines**
Requested: October 23, 2001
Introduced and read first time: January 9, 2002
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Handguns - Wearing, Carrying, or Transporting - Permits**

3 FOR the purpose of altering the minimum age required of an applicant for a permit to
4 carry a handgun; altering the requirement that a person have a good and
5 substantial reason for wearing, carrying, or transporting a handgun before
6 receiving a permit to wear, carry, or transport a handgun; and generally relating
7 to the eligibility requirements for handgun permits.

8 BY repealing and reenacting, with amendments,
9 Article 27 - Crimes and Punishments
10 Section 36E(a)
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2001 Supplement)

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

15 **Article 27 - Crimes and Punishments**

16 36E.

17 (a) A permit to carry a handgun shall be issued within a reasonable time by
18 the Secretary of the State Police, upon application under oath therefor, to any person
19 whom the Secretary finds:

20 (1) Is [eighteen] 21 years of age or older; and

21 (2) Has not been convicted of a felony or of a misdemeanor for which a
22 sentence of imprisonment for more than one year has been imposed or, if convicted of
23 such a crime, has been pardoned or has been granted relief pursuant to Title 18, §
24 925(c) of the United States Code; and

25 (3) If the person is less than 30 years of age and who has not been:

1 (i) Committed to any detention, training, or correctional
2 institution for juveniles for longer than one year after an adjudication of delinquency
3 by a juvenile court; or

4 (ii) Adjudicated delinquent by a juvenile court for:

5 1. A crime of violence;

6 2. Any violation classified as a felony in this State; or

7 3. Any violation classified as a misdemeanor in this State
8 that carries a statutory penalty of more than 2 years; and

9 (4) Has not been convicted of any offense involving the possession, use,
10 or distribution of controlled dangerous substances; and is not presently an addict, an
11 habitual user of any controlled dangerous substance not under legitimate medical
12 direction, or an alcoholic; and

13 (5) Has, based on the results of investigation, not exhibited a propensity
14 for violence or instability which may reasonably render his possession of a handgun a
15 danger to himself or other law-abiding persons; and

16 (6) Has, based on the results of investigation, good and substantial
17 reason to wear, carry, or transport a handgun[, provided however, that the phrase
18 "good and substantial reason" as used herein shall be deemed to include a finding
19 that such permit is necessary as a reasonable precaution against apprehended
20 danger].

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
22 effect October 1, 2002.