

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

Senate Bill 33 (Senator Haines)
Judicial Proceedings

Handguns - Wearing, Carrying, or Transporting - Permits

This bill increases, from 18 to 21, the minimum age required of an applicant for a permit to carry a handgun. The bill also eliminates, from the applicable findings necessary for allowing the issuance a handgun permit, the necessity that a good and substantial reason to wear, carry, or transport a handgun be deemed to include “a finding that such permit is necessary as a reasonable precaution against apprehended danger.”

Fiscal Summary

State Effect: It is expected that the Department of State Police could handle any change in the number of handgun permit applications resulting from the bill with existing budgeted resources.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: A permit to carry a handgun must be issued by the Secretary of State Police if the Secretary determines that the applicant:

- is 18 years of age or older;
- has not been convicted of a felony or misdemeanor for which a sentence of imprisonment for more than one year has been imposed or, if convicted of such a crime, has been pardoned or has been granted relief pursuant to federal law;

- if the person is under 30 years old, has not been: (1) committed to any detention, training, or correctional institution for juveniles for longer than one year after adjudication of delinquency by a juvenile court; or (2) adjudicated delinquent by a juvenile court for a crime of violence, a felony, or a misdemeanor that carries a statutory penalty of more than two years;
- has not been convicted of any offense involving the possession, use, or distribution of controlled dangerous substances; and is not an addict or habitual user of drugs or alcohol;
- has, based on the results of investigation, not exhibited a propensity for violence or instability; and
- has, based on the results of investigation, good and substantial reason (which includes reasonable precaution against apprehended danger) to wear, carry, or transport a handgun.

Additional Information

Prior Introductions: Various bills in recent years have contained provisions, in part, that would have altered the minimum age for a handgun permit as well as altered provisions relating to the “good and substantial reason” for issuance. SB 220 of 2001, SB 234 of 1999, and SB 366 of 1998 were all withdrawn. In 1997, SB 351 received an unfavorable report from the Senate Judicial Proceedings Committee.

Cross File: None.

Information Source(s): Department of State Police, Department of Legislative Services

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