

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1162
Judiciary

(Delegate Dwyer, *et al.*)

Women and Children's Protection Act of 2006

This bill applies existing qualifications for a permit to wear, carry, or transport a handgun to men only, and establishes similar qualifications for a permit to wear, carry, or transport a handgun for women, with one exception. Under the bill, the Secretary of State Police must issue a permit within a reasonable time to a man or woman if specified findings are made, and: (1) for a man, there is a finding that the man has a 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; and (2) for a woman, there is a finding that the woman has the desire to wear, carry, or transport a handgun for lawful self-defense of a child or children of the applicant.

Fiscal Summary

State Effect: None. The bill's requirements could be handled with the existing budgeted resources of the State Police. Any increase in handgun permit fee revenue is not expected to be significant.

Local Effect: None.

Small Business Effect: Minimal. The extent to which this bill could affect handgun sales to women is unknown, but is not assumed to be significant.

Analysis

Current Law: To be issued a permit to carry a handgun by the Secretary of State Police, an applicant: (1) must be 18 years of age or older; (2) must not have been convicted of a

felony or misdemeanor for which a sentence of imprisonment for more than one year has been imposed or, if convicted, must have been pardoned or been granted relief under federal law; (3) if the person is younger than 30 years of age, must not have been committed to a facility for juveniles for longer than one year or adjudicated delinquent for a crime of violence, a felony, or misdemeanor that carries a statutory penalty of more than two years; (4) must not have been convicted of a controlled dangerous substance violation and must not presently be an addict, a habitual user of a controlled dangerous substance, or an alcoholic; (5) must not exhibit a propensity for violence or instability which may reasonably render possession of a handgun a danger to himself or another; and (6) must have a good and substantial reason to wear, carry, or transport a handgun. "Good and substantial reason" includes a finding that the permit is necessary as a reasonable precaution against apprehended danger.

A handgun permit application costs \$75; two years after the initial permit, a \$50 renewal fee is due and every three years thereafter.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of State Police, Department of Public Safety and Correctional Services, Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2006
mll/jr

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