

# HOUSE BILL 2

E4  
SB 762/07 – JPR

(PRE-FILED)

8lr0376

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By: **Delegate Riley**  
Requested: July 17, 2007  
Introduced and read first time: January 9, 2008  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Handgun Permits – Repeal of Finding Requirement**

3 FOR the purpose of repealing the requirement that the Secretary of State Police find  
4 that a person has a good and substantial reason to wear, carry, or transport a  
5 handgun before issuing a certain handgun permit to the person; and generally  
6 relating to the issuing of handgun permits by the Secretary of State Police.

7 BY repealing and reenacting, with amendments,  
8 Article – Public Safety  
9 Section 5–306  
10 Annotated Code of Maryland  
11 (2003 Volume and 2007 Supplement)

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

14 **Article – Public Safety**

15 5–306.

16 (a) Subject to subsection (b) of this section, the Secretary shall issue a permit  
17 within a reasonable time to a person who the Secretary finds:

18 (1) is an adult;

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

6           (5)    based on an investigation[:

7                   (i)], has not exhibited a propensity for violence or instability that  
8 may reasonably render the person's possession of a handgun a danger to the person or  
9 to another[; and

10                   (ii) has good and substantial reason to wear, carry, or transport  
11 a handgun, such as a finding that the permit is necessary as a reasonable precaution  
12 against apprehended danger].

13           (b)    An applicant under the age of 30 years is qualified only if the Secretary  
14 finds that the applicant has not been:

15                   (1) committed to a detention, training, or correctional institution for  
16 juveniles for longer than 1 year after an adjudication of delinquency by a juvenile  
17 court; or

18                   (2) adjudicated delinquent by a juvenile court for:

19                           (i) an act that would be a crime of violence if committed by an  
20 adult;

21                           (ii) an act that would be a felony in this State if committed by  
22 an adult; or

23                           (iii) an act that would be a misdemeanor in this State that  
24 carries a statutory penalty of more than 2 years if committed by an adult.

25           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2008.