

HOUSE BILL 1061

E4

8lr2604

By: **Delegates Frank, Aumann, Bates, Boteler, Bromwell, Costa, Dwyer, Eckardt, Elliott, George, Haddaway, Jennings, Kach, Kelly, Kipke, Krebs, McComas, McConkey, Norman, O'Donnell, Riley, Schuler, Shank, Shewell, Sossi, Stifler, Stocksdale, and Stull**

Introduced and read first time: February 7, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Denial of Permit to Carry Handgun – Return of Application**
3 **Fee**

4 FOR the purpose of requiring the Secretary of State Police or the Secretary's designee
5 to refund the application fee for a permit to carry, wear, or transport a handgun
6 to an applicant whose application is denied; and generally relating to permits to
7 carry, wear, or transport a handgun.

8 BY repealing and reenacting, without amendments,
9 Article – Public Safety
10 Section 5–303
11 Annotated Code of Maryland
12 (2003 Volume and 2007 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Public Safety
15 Section 5–304
16 Annotated Code of Maryland
17 (2003 Volume and 2007 Supplement)

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

20 **Article – Public Safety**

21 5–303.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 A person shall have a permit issued under this subtitle before the person
2 carries, wears, or transports a handgun.

3 5-304.

4 (a) An application for a permit shall be made under oath.

5 (b) (1) Subject to subsections (c) [and], (d), **AND (E)** of this section, the
6 Secretary may charge a nonrefundable fee payable when an application is filed for a
7 permit.

8 (2) The fee may not exceed:

9 (i) \$75 for an initial application;

10 (ii) \$50 for a renewal or subsequent application; and

11 (iii) \$10 for a duplicate or modified permit.

12 (3) The fees under this subsection are in addition to the fees
13 authorized under § 5-305 of this subtitle.

14 (c) The Secretary may reduce the fee under subsection (b) of this section
15 accordingly for a permit that is granted for one day only and at one place only.

16 (d) The Secretary may not charge a fee under subsection (b) of this section to:

17 (1) a State, county, or municipal public safety employee who is
18 required to carry, wear, or transport a handgun as a condition of governmental
19 employment; or

20 (2) a retired law enforcement officer of the State or a county or
21 municipal corporation of the State.

22 **(E) THE SECRETARY SHALL REFUND THE FEE UNDER SUBSECTION (B)**
23 **OF THIS SECTION TO AN APPLICANT WHOSE APPLICATION IS DENIED.**

24 ~~[(e)]~~ **(F)** The applicant may pay a fee under this section by a personal
25 check, business check, certified check, or money order.

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