

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 1422
Judiciary

(Delegate McDermott, *et al.*)

Law Enforcement Officers - Separation from Service - Retirement Credentials

This bill provides that, upon separation from a law enforcement agency, a “qualified retired law enforcement officer” must: (1) retain the rank the officer held immediately prior to separation; and (2) receive a retired law enforcement photographic identification card from the law enforcement agency that employed the officer. The bill also authorizes a qualified retired law enforcement officer to wear, carry, or transport a handgun as long as the retired officer is carrying the photographic identification card and is not under the influence of alcohol or drugs. Each law enforcement agency in the State must adopt written policies relating to the issuance, expiration, and reissuance of the photographic identification cards.

Fiscal Summary

State Effect: For State law enforcement agencies not already issuing such cards, it is assumed that the cost of creating and issuing the identification card can be passed on to the retiree.

Local Effect: For local law enforcement agencies not already issuing such cards, it is assumed that the cost of creating and issuing the identification card can be passed on to the retiree.

Small Business Effect: None.

Analysis

Current Law/Background: To be issued a permit to carry a handgun by the Secretary of State Police, an applicant (1) must be 18 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, 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 the applicant 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.

Generally, law enforcement agencies in the United States already provide their retirees with a retirement identification card.

The Law Enforcement Officers Safety Act (LEOSA) 2004 and 2010 allows federal, state, and local police retirees to carry a firearm with their issued retiree identification card and with certification that they successfully completed annual firearms training at their own cost. The retiree may carry the firearm anywhere in the United States. The retiree's organization may annually issue a single LEOSA card which the retiree may carry in lieu of carrying their retirement card and the annual certification document.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Harford and Montgomery counties, Department of General Services, Department of State Police, Department of Legislative Services

Fiscal Note History: First Reader - March 16, 2012
mlm/hlb

Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510