

Department of Legislative Services  
Maryland General Assembly  
2014 Session

FISCAL AND POLICY NOTE

House Bill 720  
Judiciary

(Delegate Smigiel, *et al.*)

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Public Safety - Handgun Permits - Training Requirement

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The bill repeals the requirement that certain applicants for the *renewal* of a handgun permit complete a certified firearms training course approved by the Department of State Police (DSP). The bill exempts an applicant who currently possesses or formerly possessed a handgun permit from the requirement, unless DSP revoked the applicant's permit based on a finding that the applicant did not meet permit qualifications or the applicant violated specified laws. The bill also exempts an applicant who possesses a valid out-of-state permit to carry a concealed handgun from the requirement, if that applicant had to complete a firearms safety course to obtain the out-of-state permit.

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Fiscal Summary

**State Effect:** Minimal. The bill's changes are not expected to affect State operations or finances. The bill is expected to have a negligible impact on handgun permit approvals.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** Generally, with certain exceptions, 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. The Secretary may limit the geographic area; circumstances; or times of day, week, month, or year in which a permit is effective.

A handgun permit application costs \$75; two years after the initial permit and every three years thereafter, a \$50 renewal fee is due. In addition, the applicant must pay for fingerprint-based federal and State criminal history background checks for initial applications and renewals.

Chapter 427 of 2013 (the Firearm Safety Act of 2013) requires a handgun permit applicant to successfully complete prior to the application and each renewal, a firearms training course approved by the Secretary that includes (1) for an initial application, a minimum of 16 hours of instruction by a qualified handgun instructor, or 8 hours of instruction for a renewal application; (2) classroom instruction on State firearm law, home firearm safety, and handgun mechanisms and operation; and (3) a firearms qualification component that demonstrates the applicant's proficiency and use of the firearm.

An applicant for a permit is not required to complete a certified firearms training course if the applicant (1) is a law enforcement officer or a person who is retired in good standing from service with a law enforcement agency of the United States, the State, or any local law enforcement agency in the State; (2) is a member, retired member, or honorably discharged member of the U.S. Armed Forces or the National Guard; (3) is a qualified handgun instructor; or (4) has completed a firearms training course approved by the Secretary.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of State Police, Department of Public Safety and Correctional Services, Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2014  
ncs/lgc

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Analysis by: Guy G. Cherry and  
April Morton

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