

Department of Legislative Services
 Maryland General Assembly
 2015 Session

FISCAL AND POLICY NOTE

House Bill 188
 Judiciary

(Delegate Cluster, *et al.*)

Public Safety - Handgun Permits - Renewal Period for Retired Law Enforcement Officer

This bill specifies that a handgun permit issued to a retired law enforcement officer of the State or a county or municipality of the State expires on the last day of the holder’s birth month following five years after the date the permit is issued and may be renewed for successive periods of five years each if, at the time of a renewal application, the applicant possesses the qualifications for the issuance of a permit. A retired law enforcement officer who applies for the renewal of a permit is not required to be fingerprinted, unless the Secretary of State Police requires a set of the officer’s fingerprints to resolve a question of the officer’s identity.

Fiscal Summary

State Effect: This bill delays the collection of renewal permit fees from a small number of retired law enforcement officers and likely reduces the number of renewals that occur for each retired officer over time. Accordingly, general fund revenues from handgun permit renewal fees decrease by approximately \$3,600 in FY 2019 and 2020. The accompanying reduction in workload for the Department of State Police (DSP) is not expected to affect the manpower needs of the agency.

(in dollars)	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
GF Revenue	\$0	\$0	\$0	(\$3,600)	(\$3,600)
Expenditure	0	0	0	0	0
Net Effect	\$0	\$0	\$0	(\$3,600)	(\$3,600)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

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.

The Secretary may not charge a fee to (1) a State, county, or municipal public safety employee who is required to carry, wear, or transport a handgun as a condition of governmental employment or (2) a retired law enforcement officer of the State or a county or municipal corporation of the State.

A handgun permit expires on the last day of the holder’s birth month following two years from the date of issuance.

State Fiscal Effect: In calendar 2014, DSP processed 134 initial handgun permits for retired law enforcement officers and 719 renewal applications. DSP estimates that 10% or fewer of all retiree permit applicants are subject to permit fees as not having retired from a Maryland jurisdiction. Under the bill, over a 15-year period, handgun renewal permits for retired law enforcement officers occurs three times, rather than five times. Accordingly, based on the number of permit renewals from 2014, general fund revenues from handgun permit renewal fees decrease by approximately \$3,600 in both fiscal 2019 and 2020. On

an annualized basis, renewal fee revenues decrease by approximately \$1,440 annually over the course of a five-year period.

Any decrease in workload for DSP is not significant and is not expected to affect the manpower needs of the agency.

Additional Information

Prior Introductions: HB 215 of 2014, a similar bill, received a hearing in the House Judiciary Committee, but no further action was taken. HB 28 of 2013, a similar bill, received a hearing in the House Judiciary Committee, but no further action was taken. HB 300 of 2012, a similar bill, passed the House and received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken.

Cross File: None.

Information Source(s): Department of State Police, Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2015
min/lgc

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