

Department of Legislative Services  
Maryland General Assembly  
2016 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1332  
Judiciary

(Delegate S. Howard, *et al.*)

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

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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.

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Fiscal Summary

**State Effect:** The bill does not materially affect State operations or finances. As a retired law enforcement officer of the State or a county or municipality of the State is not charged a fee for a handgun permit, the bill likely reduces the number of renewals that occur for each retired officer over time but has no effect on State finances. Any decrease in workload for the Department of State Police (DSP) does not materially affect DSP operations.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** Generally, with certain exceptions, to be issued a permit to carry, wear, or transport 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) 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; (4) must not exhibit a propensity for violence or instability which may reasonably render possession of a handgun a danger to the applicant or another; (5) must have successfully completed, prior to application and each renewal, a specified firearms training course approved by the Secretary; (6) if 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 a misdemeanor that carries a statutory penalty of more than two years; and (7) 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.

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### **Additional Information**

**Prior Introductions:** HB 188 of 2015 received a hearing in the House Judiciary Committee, but no further action was taken. 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 11, 2016  
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