SENATE BILL 115

AN ACT concerning

Public Safety – Permit to Carry, Wear, or Transport a Handgun – Qualifications

FOR the purpose of clarifying that personal protection or self-defense can qualify as a good and substantial reason to carry, wear, or transport a handgun for purposes of the issuance by the Secretary of State Police of a permit to carry, wear, or transport a handgun; and generally relating to a permit to carry, wear, or transport a handgun.

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 5–301(a) and (d)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 5–306(a)
Annotated Code of Maryland
(2018 Replacement Volume)

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

Article – Public Safety

5–301.

(a) In this subtitle the following words have the meanings indicated.

(d) “Permit” means a permit issued by the Secretary to carry, wear, or transport a handgun.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
(a) Subject to subsection (c) of this section, the Secretary shall issue a permit within a reasonable time to a person who the Secretary finds:

(1) is an adult;

(2) (i) has not been convicted of a felony or of a misdemeanor for which a sentence of imprisonment for more than 1 year has been imposed; or

(ii) if convicted of a crime described in item (i) of this item, has been pardoned or has been granted relief under 18 U.S.C. § 925(c);

(3) has not been convicted of a crime involving the possession, use, or distribution of a controlled dangerous substance;

(4) is not presently an alcoholic, addict, or habitual user of a controlled dangerous substance unless the habitual use of the controlled dangerous substance is under legitimate medical direction;

(5) except as provided in subsection (b) of this section, has successfully completed prior to application and each renewal, a firearms training course approved by the Secretary that includes:

(i) 1. for an initial application, a minimum of 16 hours of instruction by a qualified handgun instructor; or

2. for a renewal application, 8 hours of instruction by a qualified handgun instructor;

(ii) classroom instruction on:

1. State firearm law;

2. home firearm safety; and

3. handgun mechanisms and operation; and

(iii) a firearms qualification component that demonstrates the applicant’s proficiency and use of the firearm; and

(6) based on an investigation:

(i) has not exhibited a propensity for violence or instability that may reasonably render the person’s possession of a handgun a danger to the person or to another; and
(ii) has good and substantial reason to wear, carry, or transport a handgun, such as PERSONAL PROTECTION, SELF–DEFENSE, OR a finding that the permit is necessary as a reasonable precaution against apprehended danger.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.