SENATE BILL 463

 $\mathbf{E4}$

3lr2777 CF 3lr0868

By: **Senators Folden, Gallion, Jennings, Salling, Ready, and Bailey** Introduced and read first time: February 3, 2023 Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

Public Safety - Permit to Wear, Carry, or Transport a Handgun Denial - Refund of Application Fee

- FOR the purpose of requiring the Secretary of State Police to refund certain application
 fees under certain circumstances to individuals who were previously denied a permit
 to wear, carry, or transport a firearm within a certain timeframe; and generally
- 7 relating to permits to wear, carry, or transport a handgun.
- 8 BY repealing and reenacting, without amendments,
- 9 Article Public Safety
- 10 Section 5–301(a) and (c) and 5–306(a)(6)(ii)
- 11 Annotated Code of Maryland
- 12 (2022 Replacement Volume)
- 13 BY repealing and reenacting, with amendments,
- 14 Article Public Safety
- 15 Section 5–304
- 16 Annotated Code of Maryland
- 17 (2022 Replacement Volume)

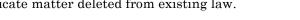
18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 19 That the Laws of Maryland read as follows:

20 Article – Public Safety

- 21 5-301.
- 22 (a) In this subtitle the following words have the meanings indicated.

23 (c) "Permit" means a permit issued by the Secretary to carry, wear, or transport24 a handgun.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.





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1	5-304.	
2	(a)	An application for a permit shall be made under oath.
$\frac{3}{4}$	(b) Secretary n	(1) Subject to subsections (c) [and], (d), AND (E) of this section, the nay charge a nonrefundable fee payable when an application is filed for a permit.
5		(2) The fee may not exceed:
6		(i) \$75 for an initial application;
7		(ii) \$50 for a renewal or subsequent application; and
8		(iii) \$10 for a duplicate or modified permit.
9 10	under § 5–3	(3) The fees under this subsection are in addition to the fees authorized 805 of this subtitle.
$\begin{array}{c} 11 \\ 12 \end{array}$	(c) accordingly	The Secretary may reduce the fee under subsection (b) of this section for a permit that is granted for one day only and at one place only.
13	(d)	The Secretary may not charge a fee under subsection (b) of this section to:
$\begin{array}{c} 14 \\ 15 \end{array}$	carry, wear	(1) a State, county, or municipal public safety employee who is required to , or transport a handgun as a condition of governmental employment; or
$\begin{array}{c} 16 \\ 17 \end{array}$	corporation	(2) a retired law enforcement officer of the State or a county or municipal of the State.
18 19	(E) SUBSECTIO	THE SECRETARY SHALL REFUND THE APPLICATION FEE UNDER ON (B) OF THIS SECTION TO AN APPLICANT WHO:
20		(1) BETWEEN JULY 5, 2019, AND JULY 5, 2022, BOTH INCLUSIVE, WAS
21	DENIED A	PERMIT OR RENEWAL OF A PERMIT FOR FAILING TO SATISFY THE GOOD
22		STANTIAL REASON REQUIREMENT UNDER § 5-306(A)(6)(II) OF THIS
23	SUBTITLE;	AND
$\begin{array}{c} 24 \\ 25 \end{array}$	AND SUPPO	(2) FILES A CLAIM IN A FORM AND CONTAINING THE INFORMATION ORTING DOCUMENTS REQUIRED BY THE SECRETARY.
$\frac{26}{27}$	[(e)] a credit car	(F) The applicant shall pay a fee under this section by an electronic check, d, or a method of online payment approved by the Secretary.
28	5-306.	

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1 (a) Subject to subsection (c) of this section, the Secretary shall issue a permit 2 within a reasonable time to a person who the Secretary finds:

(6) based on an investigation:

3

4 (ii) has good and substantial reason to wear, carry, or transport a 5 handgun, such as a finding that the permit is necessary as a reasonable precaution against 6 apprehended danger.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 8 October 1, 2023.