

SENATE BILL 324

E4

4lr1281

By: **Senator McCray**

Introduced and read first time: January 12, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Handgun Permits – Accidental Discharge and Training Requirements –**
3 **Maryland State Police Gun Center**
4 **(Firearm Safety Act of 2024)**

5 FOR the purpose of requiring a person who holds a handgun permit to register for and
6 complete a certain firearms safety training course within a certain time if the person
7 accidentally discharges a firearm; requiring the Secretary of State Police to revoke a
8 handgun permit of a certain person who fails to successfully complete a certain
9 firearms safety training course; requiring the Secretary to provide certain written
10 notice to a person whose handgun permit is revoked; authorizing the Secretary to
11 reinstate a person's handgun permit if certain requirements are satisfied; requiring
12 law enforcement agencies to report certain information to the Maryland State Police
13 Gun Center; requiring the Center to report certain information to the Department of
14 State Police's Licensing Division; requiring the Secretary to coordinate with the
15 Center and law enforcement agencies to implement the provisions of this Act;
16 expanding the tracking, screening, and vetting requirements of the Center; and
17 generally relating to handgun permits.

18 BY repealing and reenacting, without amendments,
19 Article – Public Safety
20 Section 5–101(a) and (h) and 5–301
21 Annotated Code of Maryland
22 (2022 Replacement Volume and 2023 Supplement)

23 BY adding to
24 Article – Public Safety
25 Section 5–315
26 Annotated Code of Maryland
27 (2022 Replacement Volume and 2023 Supplement)

28 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Public Safety
2 Section 5–801, 5–802, and 5–803
3 Annotated Code of Maryland
4 (2022 Replacement Volume and 2023 Supplement)

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

7 **Article – Public Safety**

8 5–101.

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

10 (h) (1) “Firearm” means:

11 (i) a weapon that expels, is designed to expel, or may readily be
12 converted to expel a projectile by the action of an explosive;

13 (ii) the frame or receiver of such a weapon; or

14 (iii) an unfinished frame or receiver, as defined in § 5–701 of this title.

15 (2) “Firearm” includes a starter gun.

16 5–301.

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

18 (b) “Handgun” has the meaning stated in § 4–201 of the Criminal Law Article.

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

21 (d) “Qualified handgun instructor” has the meaning stated in § 5–101 of this title.

22 (e) “Secretary” means the Secretary of State Police or the Secretary’s designee.

23 **5–315.**

24 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
25 **INDICATED.**

26 **(2) “ACCIDENTAL DISCHARGE” MEANS THE UNINTENDED**
27 **DISCHARGING OF A FIREARM THAT CAUSES:**

1 **(I) INJURY TO OR DEATH OF A PERSON; OR**

2 **(II) PROPERTY DAMAGE.**

3 **(3) “FIREARM” HAS THE MEANING STATED IN § 5–101 OF THIS TITLE.**

4 **(B) IF THERE IS AN ACCIDENTAL DISCHARGE BY A PERSON WHO HOLDS A**
5 **PERMIT, THE PERSON SHALL:**

6 **(1) REGISTER FOR A CERTIFIED FIREARMS SAFETY TRAINING**
7 **COURSE WITHIN 90 DAYS AFTER THE INCIDENT; AND**

8 **(2) SUCCESSFULLY COMPLETE THE FIREARMS SAFETY TRAINING**
9 **COURSE WITHIN 6 MONTHS AFTER THE INCIDENT.**

10 **(C) THE CERTIFIED FIREARMS SAFETY TRAINING COURSE REQUIRED**
11 **UNDER SUBSECTION (B) OF THIS SECTION SHALL BE APPROVED BY THE SECRETARY**
12 **AND SHALL INCLUDE:**

13 **(1) A MINIMUM OF 4 HOURS OF INSTRUCTION BY A QUALIFIED**
14 **HANDGUN INSTRUCTOR;**

15 **(2) CLASSROOM INSTRUCTION ON HANDGUN MECHANISMS AND**
16 **OPERATION, INCLUDING:**

17 **(I) THE PROPER OPERATION AND SAFE HANDLING OF A**
18 **HANDGUN;**

19 **(II) THE CLEANING AND MAINTENANCE OF A HANDGUN;**

20 **(III) THE LOADING AND UNLOADING OF AMMUNITION; AND**

21 **(IV) THE DIFFERENCES BETWEEN REVOLVERS AND**
22 **SEMIAUTOMATIC HANDGUNS; AND**

23 **(3) AN ORIENTATION COMPONENT THAT DEMONSTRATES THE**
24 **PERSON’S SAFE OPERATION AND HANDLING OF A FIREARM, INCLUDING A “LIVE**
25 **FIRE” COMPONENT, IN WHICH THE PERSON SAFELY SHOOTS THE FIREARM.**

26 **(D) (1) THE SECRETARY SHALL REVOKE A PERMIT OF A PERSON WHO**
27 **FAILS TO SATISFY THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION.**

1 **(2) (I) THE SECRETARY SHALL PROVIDE WRITTEN NOTIFICATION**
2 **TO A PERSON WHOSE PERMIT IS REVOKED UNDER THIS SUBSECTION.**

3 **(II) A WRITTEN NOTICE OF REVOCATION SHALL CONTAIN THE**
4 **REASONS THE PERMIT WAS REVOKED AND A STATEMENT OF THE PERSON'S APPEAL**
5 **RIGHTS.**

6 **(3) THE SECRETARY MAY REINSTATE A PERMIT THAT HAS BEEN**
7 **REVOKED UNDER THIS SUBSECTION IF THE PERSON SATISFIES THE REQUIREMENTS**
8 **OF SUBSECTION (B) OF THIS SECTION.**

9 **(E) THE SECRETARY MAY INCORPORATE AN EXISTING CERTIFIED**
10 **FIREARMS SAFETY TRAINING COURSE TO SATISFY THE TRAINING COURSE**
11 **REQUIREMENTS OF SUBSECTION (C) OF THIS SECTION.**

12 **(F) (1) A LAW ENFORCEMENT AGENCY SHALL REPORT TO THE**
13 **MARYLAND STATE POLICE GUN CENTER EACH ACCIDENTAL DISCHARGE THAT IS**
14 **COMMITTED IN THE JURISDICTION OF THE LAW ENFORCEMENT AGENCY.**

15 **(2) THE MARYLAND STATE POLICE GUN CENTER SHALL REPORT ALL**
16 **ACCIDENTAL DISCHARGES TO THE DEPARTMENT OF STATE POLICE'S LICENSING**
17 **DIVISION.**

18 **(G) THE SECRETARY SHALL COORDINATE WITH THE MARYLAND STATE**
19 **POLICE GUN CENTER AND LAW ENFORCEMENT AGENCIES TO IMPLEMENT THE**
20 **PROVISIONS OF THIS SECTION.**

21 5-801.

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

23 **(B) "ACCIDENTAL DISCHARGE" HAS THE MEANING STATED IN § 5-315 OF**
24 **THIS TITLE.**

25 **[(b)] (C) "Center" means the Maryland State Police Gun Center.**

26 **[(c)] (D) "Crime firearm" means a firearm that is:**

27 (1) used in the commission of a crime of violence, as defined in § 5-101 of
28 this title; or

29 (2) recovered by a law enforcement agency in connection with illegal
30 firearm possession, transportation, or transfer.

1 [(d)] (E) “Department” means the Department of State Police.

2 [(e)] (F) “Federally licensed firearms dealer” means a person licensed by the
3 federal Bureau of Alcohol, Tobacco, Firearms and Explosives to deal in firearms.

4 [(f)] (G) “Federally licensed firearms importer” means a person licensed by the
5 federal Bureau of Alcohol, Tobacco, Firearms and Explosives to import firearms.

6 [(g)] (H) “Final protective order” has the meaning stated in § 4–501 of the Family
7 Law Article.

8 [(h)] (I) “Law enforcement agency” has the meaning stated in § 3–201 of this
9 article.

10 5–802.

11 (a) The Center is established within the Department as a statewide firearms
12 enforcement center for the tracking, screening, and vetting of all:

13 (1) firearm crimes committed in the State; [and]

14 (2) firearms surrendered under final protective orders in the State; **AND**

15 **(3) ACCIDENTAL DISCHARGES IN THE STATE.**

16 (b) This subtitle shall be liberally construed and applied to promote its underlying
17 purposes and policies.

18 5–803.

19 (a) The Center shall create and maintain a statewide database to track
20 information on crimes committed with crime firearms [and], firearms surrendered under
21 final protective orders, **AND ACCIDENTAL DISCHARGES** in the State.

22 (b) Each law enforcement agency shall report to the Center the following
23 information on crimes committed in the jurisdiction of the law enforcement agency with
24 crime firearms:

25 (1) the number and type of crime firearms;

26 (2) the jurisdictions where crime firearms are recovered;

27 (3) the sources of the crime firearms recovered, if discoverable, including:

28 (i) the federally licensed firearms importer;

- 1 (ii) the federally licensed firearms dealer; and
- 2 (iii) the first purchaser of the crime firearm;
- 3 (4) information regarding the individual found in possession of the crime
4 firearm, including:
- 5 (i) the individual's age;
- 6 (ii) the individual's jurisdiction of residence;
- 7 (iii) the jurisdiction where the individual is charged; and
- 8 (iv) whether the individual was prohibited from possessing a firearm;
- 9 and
- 10 (5) any other information requested by the Center.

11 (c) Each law enforcement agency shall report to the Center the following
12 information on firearms surrendered under final protective orders issued in the jurisdiction
13 of the law enforcement agency:

- 14 (1) the number and type of firearms;
- 15 (2) the jurisdictions where firearms are surrendered; and
- 16 (3) information regarding the individual who surrendered each firearm,
17 including:
- 18 (i) the individual's age;
- 19 (ii) the individual's jurisdiction of residence; and
- 20 (iii) any other information requested by the Center.

21 **(D) EACH LAW ENFORCEMENT AGENCY SHALL REPORT TO THE CENTER THE**
22 **FOLLOWING INFORMATION ON ACCIDENTAL DISCHARGES IN THE JURISDICTION OF**
23 **THE LAW ENFORCEMENT AGENCY:**

- 24 **(1) THE NUMBER AND TYPE OF FIREARMS;**
- 25 **(2) THE JURISDICTIONS WHERE ACCIDENTAL DISCHARGES**
26 **OCCURRED; AND**
- 27 **(3) INFORMATION REGARDING THE INDIVIDUAL WHO COMMITTED**
28 **THE ACCIDENTAL DISCHARGE, INCLUDING:**

- 1 **(I) THE INDIVIDUAL’S AGE;**
2 **(II) THE INDIVIDUAL’S JURISDICTION OF RESIDENCE; AND**
3 **(III) ANY OTHER INFORMATION REQUESTED BY THE CENTER.**

4 **[(d)] (E)** The Center may require a law enforcement agency to report any other
5 information relating to firearm crimes committed in the jurisdiction of the law enforcement
6 agency to assist the Center in the tracking of firearm crimes committed in the State.

7 **[(e)] (F)** The Center shall designate how often law enforcement agencies are
8 required to report the information required under this section.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2025.