

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 546 (Delegate Williams)
Judiciary

Handgun Permits - Accidental Discharge and Training Requirements - Maryland State Police Gun Center (Firearm Safety Act of 2024)

This bill requires a handgun permit holder, if there is an "accidental discharge" by the person, to register for a certified firearms safety training course within 90 days of the incident and to successfully complete the course within six months after the incident. The Secretary of State Police (1) must revoke the handgun permit of a person who fails to satisfy those requirements, with specified written notice, and (2) may reinstate the permit if the person satisfies the training course requirements. The bill requires (1) each law enforcement agency to report information relating to accidental discharges to the Maryland State Police Gun Center and (2) the Gun Center to report all accidental discharges to the Department of State Police's (DSP) Licensing Division. The Secretary of State Police must coordinate with the Gun Center and law enforcement agencies to implement those provisions. The bill also expands the tracking, screening, and vetting requirements for the Gun Center to include accidental discharges. The bill takes effect July 1, 2025.

Fiscal Summary

State Effect: General fund expenditures increase by \$425,000 in FY 2026 only for one-time programming costs. Revenues are not affected.

Table with 6 columns: (in dollars), FY 2026, FY 2027, FY 2028, FY 2029, FY 2030. Rows include Revenues, GF Expenditure, and Net Effect.

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

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary: The required firearms safety training course must be approved by the Secretary of State Police and include (1) a minimum of four hours of instruction by a qualified handgun instructor; (2) classroom instruction on handgun mechanisms and operation, as specified; and (3) an orientation component that demonstrates the person's safe operation and handling of a firearm, including a "live fire" component, in which the person safely shoots the firearm. The Secretary may incorporate an existing certified firearms safety training course to satisfy these training course requirements.

Each law enforcement agency must report to the Gun Center the following information on accidental discharges in the agency's jurisdiction:

- the number and type of firearms;
- the jurisdictions where accidental discharges occurred; and
- information regarding the individual who committed the accidental discharge, as specified.

"Accidental discharge" means the unintended discharging of a firearm that causes injury to or death of a person or property damage.

Current Law: Generally, a handgun permit applicant must successfully complete, prior to the application and each renewal, a firearms training course approved by the Secretary of State Police that includes (1) for an initial application, a minimum of 16 hours of instruction by a qualified handgun instructor, or 8 hours of instruction for a renewal application; (2) classroom instruction on State and federal firearm laws, home firearm safety, handgun mechanisms and operations, conflict de-escalation and resolution, anger management, and suicide prevention; and (3) a firearm qualification component that includes live-fire shooting exercise on a firing range and requires the applicant to demonstrate safe handling of a handgun and shooting proficiency with a handgun.

An applicant for a permit is not required to complete a certified firearms training course if the applicant:

- is a law enforcement officer or a person who is retired in good standing from service with a law enforcement agency of the United States, the State, or any local law enforcement agency in the State;
- is a member, retired member, or honorably discharged member of the U.S. Armed Forces or the National Guard;
- is a qualified handgun instructor; or
- has completed a firearms training course approved by the Secretary.

Existing statutory requirements and background relating to the issuance of handgun permits are summarized in the **Appendix – Handgun Permit Requirements – Current Law/Background**.

State Expenditures: General fund expenditures increase by \$425,000 in fiscal 2026 only for one-time programming costs for DSP to (1) update its licensing portal system to receive the required information from the Gun Center and (2) develop an interface between the licensing portal system and the Gun Center system in order to accommodate the bill's changes. DSP can otherwise implement the bill using existing resources.

The bill is not anticipated to materially affect State law enforcement agencies.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 324 (Senator McCray) - Judicial Proceedings.

Information Source(s): Baltimore City; Prince George's County; Alcohol, Tobacco, and Cannabis Commission; Comptroller's Office; Baltimore City Community College; University System of Maryland; Morgan State University; Maryland Department of Health; Maryland Department of Labor; Department of Natural Resources; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - January 30, 2024
js/lgc

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Appendix

Handgun Permit Requirements – Current Law/Background

Generally, with certain exceptions, to be issued a handgun permit by the Secretary of State Police, an applicant (1) must be at least age 21 years or a member of the U.S. Armed Forces, the National Guard, or the uniformed services; (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 be on supervised probation for conviction of a crime punishable by imprisonment for one year or more, a violation of § 21-902(b) or (c) of the Transportation Article (driving while under the influence or driving while impaired), or violating a protective order under § 4-509 of the Family Law Article (failure to comply with interim or final protective order); (5) must not suffer from a mental disorder and have a history of violent behavior against the person or another; (6) must not have been involuntarily admitted for more than 30 consecutive days to a facility that provides treatment or other services for mental disorders; (7) must not be a respondent against whom a current non *ex parte* civil protective order has been entered under § 4-506 of the Family Law Article, a current extreme risk protective order has been entered under § 5-601 of the Public Safety Article, or any other type of current court order has been entered prohibiting the person from purchasing or possessing firearms; (8) must not exhibit a propensity for violence or instability, which may reasonably render possession of a handgun a danger to the applicant or another; (9) must have successfully completed, prior to application and each renewal, a specified firearms training course approved by the Secretary; (10) 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 misdemeanor that carries a statutory penalty of more than two years; and (11) must not otherwise be prohibited by State or federal law from possessing a handgun.

The Secretary may not issue a handgun permit to a person who has been convicted on or after October 1, 2023, of a second or subsequent violation of § 4-104 of the Criminal Law Article (child access to firearms) or has been convicted on or after October 1, 2023, of a violation of that provision if the violation resulted in the use of a loaded firearm by a minor causing death or serious bodily injury to the minor or another person. The Secretary also may not issue a handgun permit to a person who has been convicted on or after October 1, 2023, of a violation of § 4-104 of the Criminal Law Article for five years following the date of the conviction.

A handgun permit applicant must successfully complete, prior to the application and each renewal, a firearms training course approved by the Secretary that includes (1) for an initial application, a minimum of 16 hours of instruction by a qualified handgun instructor, or 8 hours of instruction for a renewal application; (2) classroom instruction on State and federal firearm laws, home firearm safety, handgun mechanisms and operations, conflict de-escalation and resolution, anger management, and suicide prevention; and (3) a firearm qualification component that includes live-fire shooting exercise on a firing range and requires the applicant to demonstrate safe handling of a handgun and shooting proficiency with a handgun.

An applicant for a permit is not required to complete a certified firearms training course if the applicant:

- is a law enforcement officer or a person who is retired in good standing from service with a law enforcement agency of the United States, the State, or any local law enforcement agency in the State;
- is a member, retired member, or honorably discharged member of the U.S. Armed Forces or the National Guard;
- is a qualified handgun instructor; or
- has completed a firearms training course approved by the Secretary.

A handgun permit application costs \$125; two years after the initial permit and every three years thereafter, a \$75 renewal fee is due. In addition, the applicant must pay for fingerprint-based federal and State criminal history background checks for an initial application. A person who applies for a renewal of a handgun permit is not required to be fingerprinted unless the Secretary requires a set of the person's fingerprints to resolve a question of the person's identity.

Generally, a handgun permit expires on the last day of the holder's birth month following two years after the date the permit is issued; however, the Secretary may establish an alternative expiration date for a permit to coincide with the expiration of a private detective license, a security guard certification, or a special police officer commission. A permit may be renewed for successive periods of three years each if, at the time of an application for renewal, the applicant possesses the qualifications for the issuance of a permit and pays the renewal fee.

In 2023, the Department of State Police (DSP) received 64,724 new applications for handgun permits and 13,682 handgun permit renewal applications. DSP denied 2,258 applications in the same year. As of January 1, 2024, there are approximately 175,662 active handgun permits in the State. It generally takes less than two days to receive

the results of a national criminal history records check from the FBI and approximately seven days to process and issue a permit.