



State of Maryland
Department of State Police
Government Affairs Section
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POSITION ON PROPOSED LEGISLATION

DATE: February 22, 2023

BILL NUMBER: House Bill 824 **POSITION:** Letter of Information

BILL TITLE: Public Safety – Regulated Firearms – Possession and Permits to Carry, Wear, and Transport a Handgun

REVIEW AND ANALYSIS

This legislation seeks to expand the list of prohibiting offenses for possession of a regulated firearm and obtaining a wear and carry permit. The legislation changes the training requirements and increases the fees for an application for a handgun permit. Additionally, the expiration date for a permit will be reduced from 3 to 2 years and require the Maryland Department of State Police (MDSP) to regularly review information on active permit holders using the CJIS Central Repository.

Under current law, on initial issue, all handgun permits expire within two years. Upon renewal, all permits expire within 3 years. MDSP does expansive background checks on each application for a handgun permit, regardless of how recently a previous application may have been submitted. MDSP was given authority to alter permit expiration dates to sync up with other professional licenses expiration dates such as private detectives, armored car guards or security guards. These changes were designed to save businesses from having to submit different applications on different dates and make it easier for businesses to maintain their professional licenses. These minor changes in law also allowed the MDSP to perform one background check on an applicant for multiple licenses. The law allowed MDSP to create efficiencies in the process benefiting businesses and applicants alike.

All applicants for an initial handgun permit only, are required to be fingerprinted for both a state and federal background check. The Maryland General Assembly passed a law eliminating the fingerprint requirements for handgun permit renewal applications. The reason for the repeal is when a person, who currently has a permit, is arrested and fingerprinted, the MDSP is automatically notified by CJIS of the criminal arrest. MDSP is later notified of a conviction should the person be charged and convicted of a crime.

HB 824 reduces the expiration dates of the permit and requires the MDSP to regularly review CJIS information. Combined, these changes require the MDSP to check over 150,000 applicants and permit holders through CJIS annually while also processing new applications. Based on the current law and the notification process already established between CJIS and the MDSP, the periodic checks are unnecessary, redundant and expensive for the State.

The data sets specified in the legislation for the report are not a problem for the MDSP. However, the due date of January 1, prohibits MDSP from reporting on applications received during the month of December. Typically, legislative reports capturing the previous year's data are required either February 1 or March 1 in order to give the agency time to collect and collate the data for the entire year.