



2A Maryland

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**House Bill 1166 - Senate Bill 501
Handguns - Wear, Carry, and Transport Laws - Handbook Publication
FAVORABLE with AMENDMENTS**

During the 2023 Session, *House Bill 824 Public Safety - Regulated Firearms - Possession and Permits to Carry, Wear, and Transport a Handgun* was amended in the Senate Judicial Proceedings Committee with the intent that the Office of the Attorney General would play an active role in creating a clear and concise document on Maryland gun laws applicable to wear and carry permits. Unfortunately, the bill drafter's language shifted the responsibility to the Maryland State Police, who are not the subject matter experts.

The intent of our proposed amendments to this bill is to enlist the Attorney General, who is the subject matter expert, as an active partner and participant in providing information on the Maryland gun laws which directly apply to the legal wear and carry of handguns. Maryland citizens who chose to be responsible for their own personal defense and the defense of their families deserve this information.

As of March 4, 2023, there were 182,556 citizens with active Maryland wear and carry permits. It is sound public policy to have the Office of the Attorney General provide the State Certified Instructors with accurate, consistent, and up to date information. 2A Maryland attempted to have SB 501 amended in the Senate to address these concerns. Unfortunately, SB 501 was amended to conform to the language of HB 1166, which contains the same flaws. The attached amendment addresses the shortcomings in both bills and corrects the implementation date issue.

The Attorneys General in other states have developed similar documents for the benefit of their citizens. These documents can be available on-line in electronic format thus eliminating any printing or distribution costs. This is crucial because State Government Article §10-1103 requires that vital documents be produced in various languages whenever and wherever the limited English proficient population constitutes 3% of the overall population within the geographic area served by a local office of a State program.

Simply put, the printing costs published in the Fiscal Notes do not take into consideration the requirement and additional costs for multilingual versions of these vital documents.

It would be beneficial to instructors and permit applicants alike if the Public Safety Article subsections §5-306 (a-1) 5 through 10 be deleted from the statute. These topics are not germane to the wear and carry of handguns and serve only to make the class longer and less productive by burdening both the instructors and their students with an overload of unrelated information.

Neither HB 116 nor Senate Bill 501 as amended in the Senate make any reference to including federal law as required under Public Safety §5-306 (a-1) 2 (i).

2A Maryland can support HB 1166 and SB 501 only if amended to address these serious shortcomings in language of the existing bill documents. 2A Maryland's suggested amendments are attached.

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**SENATE BILL 501 / HB 1166
CARRY PERMIT TRAINING COURSE
MARYLAND & FEDERAL LAWS**

5-306.

(A-3) (1) ON OR BEFORE DECEMBER 1, 2024, AND EACH OCTOBER 1 THEREAFTER, THE OFFICE OF THE MARYLAND ATTORNEY GENERAL SHALL PUBLISH A HANDBOOK SUMMARIZING:

(A) THE STATE LAWS APPLICABLE TO THE WEARING, CARRYING, AND TRANSPORTING OF A HANDGUN IN PUBLIC IN THE STATE.

(B) ALL CASE LAW DECISIONS APPLICABLE TO THE WEARING, CARRYING, AND TRANSPORTING OF A HANDGUN IN PUBLIC IN THE STATE.

(C) ALL FEDERAL LAWS APPLICABLE TO THE WEARING CARRYING, AND TRANSPORTING OF A HANDGUN IN PUBLIC IN THE STATE.

(2) THE HANDBOOK SHALL BE IN A FORMAT EASILY UNDERSTANDABLE BY HANDGUN PERMIT HOLDERS AND USED BY PERSONS AUTHORIZED TO TEACH THE FIREARMS SAFETY COURSES REQUIRED BY PUBLIC SAFETY §5-306.

(3) THE SECRETARY SHALL MAKE COPIES OF THE HANDBOOK AVAILABLE TO MEMBERS OF THE PUBLIC IN ELECTRONIC FORM, ACCESSIBLE ON THE DEPARTMENT'S PUBLIC WEBSITE.

(4) EACH TIME THE SECRETARY PUBLISHES AN UPDATED VERSION OF THE HANDBOOK, THE SECRETARY SHALL PROMPTLY NOTIFY BY EMAIL EACH PERSON WHO HOLD A QUALIFIED HANDGUN INSTRUCTOR LICENSE OR QUALIFIED INSTRUCTOR CERTIFICATION AND EACH PERSON WHO CURRENTLY HOLDS A HANDGUN PERMIT UNDER THIS SECTION:

(I) THAT A NEW VERSION OF THE HANDBOOK HAS BEEN PUBLISHED

(II) HOW TO OBTAIN THE HANDBOOK.

- 4. the safe storage of firearms;
- 5. the circumstances under which an individual becomes prohibited from possessing a firearm under State and federal law, including becoming a respondent against whom:
 - A. a current non ex parte civil protective order has been entered under § 4-506 of the Family Law Article;
 - B. an order for protection, as defined in § 4-508.1 of the Family Law Article, has been issued by a court of another state or a Native American tribe and is in effect; or
 - C. a current extreme risk protective order has been entered under Subtitle 6 of this title;
- 6. the requirements and options for surrendering, transferring, or otherwise disposing of a firearm after becoming prohibited from possessing a firearm under State or federal law;
- 7. the requirements for reporting a loss or theft of a firearm to a law enforcement agency as required by § 5-146 of this title;
- 8. the firearms and firearm accessories which are banned under State and federal law;
- 9. the types of firearms that require a special permit or registration to acquire or possess under State or federal law;
- 10. the law prohibiting straw purchases;
- 11. the law concerning armed trespass under § 6-411 of the Criminal Law Article; and
- 12. the locations where a person is prohibited from possessing a firearm regardless of whether the person possesses a permit issued under this subtitle;
 - (ii) home firearm safety;
 - (iii) handgun mechanisms and operations;
 - (iv) conflict de-escalation and resolution;

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§10–1103.

(a) Each State department, agency, or program listed or identified under subsection (c) of this section shall take reasonable steps to provide equal access to public services for individuals with limited English proficiency.

(b) Reasonable steps to provide equal access to public services include:

(1) the provision of oral language services for individuals with limited English proficiency, which must be through face-to-face, in-house oral language services if contact between the agency and individuals with limited English proficiency is on a weekly or more frequent basis;

(2) (i) the translation of vital documents ordinarily provided to the public into any language spoken by any limited English proficient population that constitutes 3% of the overall population within the geographic area served by a local office of a State program as measured by the United States Census; and

(ii) the provision of vital documents translated under item (i) of this item on a statewide basis to any local office as necessary; and

(3) any additional methods or means necessary to achieve equal access to public services.

(c) The provisions of this section shall be fully implemented according to the following schedule:

(1) on or before July 1, 2003, full implementation by:

(i) the Department of Human Services;

(ii) the Maryland Department of Labor;

(iii) the Maryland Department of Health;

(iv) the Department of Juvenile Services; and

(v) the Workers' Compensation Commission;

(2) on or before July 1, 2004, full implementation by:

- (i) the Department of Aging;
- (ii) the Department of Public Safety and Correctional Services;
- (iii) the Department of Transportation, not including the Maryland Transit Administration;
- (iv) the Commission on Civil Rights;
- (v) the Department of State Police; and
- (vi) five independent agencies, boards, or commissions, to be determined by the Secretary of Human Services, in consultation with the Office of the Attorney General;

(3) on or before July 1, 2005, full implementation by:

- (i) the Comptroller of Maryland;
- (ii) the Department of Housing and Community Development;
- (iii) the Maryland Transit Administration;
- (iv) the Department of Natural Resources;
- (v) the Maryland State Department of Education;
- (vi) the Office of the Attorney General; and
- (vii) five independent agencies, boards, or commissions to be determined by the Secretary of Human Services, in consultation with the Office of the Attorney General; and

(4) on or before July 1, 2006, full implementation by:

- (i) the Department of Agriculture;
- (ii) the Department of Commerce;
- (iii) the Department of Veterans Affairs;
- (iv) the Department of the Environment; and

(v) five independent agencies, boards, or commissions to be determined by the Secretary of Human Services, in consultation with the Office of the Attorney General.

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