

2025 SB 180 -Handgun Permits - Expiration and Rene

Uploaded by: angelo consoli

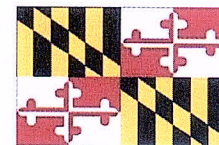
Position: FAV



CLYDE BOATWRIGHT
STATE PRESIDENT

Maryland State Lodge
FRATERNAL ORDER OF POLICE

8302 COVE ROAD, BALTIMORE, MD 21222



KENNY SCHUBERT
SECRETARY

EARL KRATSCH
TREASURER

January 14, 2025

SB180 - Public Safety – Handgun Permits – Expiration and Renewal Periods for Retired Law Enforcement Officer

Dear Chairman Smith and Distinguished Members of the Judicial Proceedings Committee,

The Maryland State Fraternal Order of Police **SUPPORTS Senate Bill 180 – Public Safety – Handgun Permits – Expiration and Renewal Periods for Retired Law Enforcement Officer**

Senate Bill 180 will create a new provision in the handgun permit section of Public Safety Article 5-309. This provision will extend the time limit of a handgun permit from the current 2 years from when it is issued and 3 years for each successive renewal period to a total of 5 years for the initial permit and 5 years for all renewals periods for any handgun permit that is issued to a retired Law Enforcement Officer, who retired in good standing from an Agency within the State of Maryland.

This bill would allow our Retired Members that desire to obtain a handgun permit to renew their permit at a more reasonable time given their service and training which are well above the standards that the average person seeking a gun permit would have. This extra experience, knowledge and training should be acknowledged by allowing retired Law Enforcement Officers the ability to renew at extended periods of time. This change would also have a positive impact on the unit that processes handgun permits as this longer time limit would lead to a lower volume of handgun permits that would have to be processed each year.

Some agencies within the State require active officers to obtain a handgun permit in order to work security details outside of their employment with their agency and some agencies cannot and do not have the ability to close out all discipline matters of an officer prior to their desire to retire due to the length of their disciplinary process. We would like to recommend amending this bill to allow for the inclusion of **active officers** as well as officers who retired in good standing or **not facing termination with a Law Enforcement Agency**.

A **FAVORABLE** vote on **SB 180** will send a positive message to all police officers in the State.

On behalf of the more than 20,000 Courageous Men and Women of the Maryland Fraternal Order of Police we thank you for your support and ask for your **FAVORABLE** vote on **Senate Bill 180 - Public Safety – Handgun Permits – Expiration and Renewal Periods for Retired Law Enforcement Officer**.

Angelo L. Consoli Jr,
2nd Vice President, FOP, Maryland State Lodge
President, FOP Lodge 89, Prince George's County

SB180 Maryland Troopers Association

Uploaded by: Brian Blubaugh

Position: FAV



M a r y l a n d
Troopers
Association



INCORPORATED 1979

TESTIMONY IN SUPPORT OF SENATE BILL 180 / HOUSE BILL 171:

Public Safety - Handgun Permits - Expiration and Renewal Periods for Retired Law Enforcement Officer

TO: Members of the Senate Judicial Proceedings Committee and House Judiciary Committee

FROM: The Maryland Trooper's Association

DATE: January 16th, 2025

The Maryland Trooper's Association supports Senate Bill 180 / House Bill 171, which creates alternative expiration and renewal periods for a handgun permit for retired law enforcement officers.

Troopers devote their lives to serving the people of Maryland, and this legislation creates a more straightforward process for handgun renewal. Not only does it eliminate a burden on those who continue to protect our state, but it also removes a burden on the licensing department. Our retired police in good standing appreciate the trust of Marylanders and the consideration for this renewal process to be extended to every 5 years. Several other states follow the 5-year expiration process, and Maryland is catching up to that standard. We strongly support Senate Bill 180 / House Bill 171 and urge a favorable report.

Brian Blubaugh
President
Maryland Troopers Association

Member of National Troopers Coalition

1300 REISTERSTOWN ROAD, PIKESVILLE, MARYLAND 21208 (410) 653-3885 1-800-TROOPER

E-mail: info@mdtroopers.org

SB180 FAV.pdf

Uploaded by: Christopher West

Position: FAV

CHRIS WEST
Legislative District 42
Baltimore and Carroll Counties

Judicial Proceedings Committee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

January 16, 2025

The Maryland State Senate Judicial Proceedings Committee
The Honorable William C. Smith, Jr.
2 East Miller Senate Building
Annapolis, Maryland 21401

Re: Senate Bill 180: Public Safety - Handgun Permits - Expiration and Renewal Periods for Retired Law Enforcement Officer

Dear Chairman Smith and Members of the Committee,

Under current Maryland law, handgun permits are valid for a two-year period after the initial issue date and are valid for three-year periods thereafter. Currently, about 200,000 Maryland residents hold gun permits. This represents a massive increase in the number of permit holders in Maryland following the Supreme Court's *Bruen* decision.

The enormous increase in gun permits has caused a concomitantly enormous increase in the cost to the State of Maryland of monitoring whether the holders of gun permits continue to qualify to possess firearms. Every holder of a gun permit is the subject of a background check each year. This includes a federal background check and a review of 17 Maryland data bases. In addition, each permit holder has executed a HIPAA waiver, enabling the State to access the permit holder's mental health records, among other things. In addition, Maryland participates in the FBI's "Rap Back" system, in connection with which the Maryland State Police receive prompt notice of an arrest of a permit holder that has occurred anywhere in the United States. All of this background checking is both time consuming and expensive. Permit renewals add yet more expense as they are far more onerous and require far more administrative time on the part of the State Police.

Senate Bill 180 simply permits law enforcement officers who retired from their jobs in good standing to have their gun permit renewal period run for five years after the initial issue date instead of two years and similarly to have their renewal periods also last for five years instead of three years.

This is a narrowly focused bill that improves the process for handgun renewal for retired law enforcement officers, and recognizes their years of training, service and good standing.

It will also help to reduce the magnitude of the expense that the State Police will be put to as they deal with the logistics of handling renewals of gun permits for hundreds of thousands of Maryland citizens two years after permit issuance and every three years thereafter. Given the

ongoing background checks of all permit holders, certainly law enforcement officers who retired in good standing constitute a group who need not go through the renewal process every three years.

Some have suggested universally extending the three year renewal period to a five year renewal period for all 200,000 permit holders. This bill does not do that. It is limited to those permit holders who are well trained in their use of firearms and who have served the State with distinction and who have retired in good standing. It represents a reasonable measure to acknowledge the contributions of these retired law enforcement officers while at the same time reducing the cost to the taxpayers of the permit renewal process.

I appreciate the Committee's consideration of Senate Bill 180, would hope for a favorable vote and will be happy to answer any questions the Committee may have.

djm SB 180 written testimony.pdf

Uploaded by: Donald McCord

Position: FAV

Senate Bill 180

Retires Law Enforcement Officers Concealed Carry Permit

January 16, 2025

Mr. Chairman and distinguished committee members. I am retired Lieutenant Donald McCord of the Maryland State Police. I am representing the Maryland State Police Alumni Association as well as the Maryland Troopers Association. The Maryland State Police Alumni Association is comprised of approximately 1,500 retired Maryland State Troopers, with the Maryland Troopers Association be composed of approximately 2,700 sworn and retired State Troopers. My law enforcement career began in 1979 and I retired from the Maryland State Police after being injured in the line of duty in 1999. I am writing on behalf of our Association in support of Senate Bill 180 extending the renewal time for a Maryland Handgun permit from three (3) years to (5) years for retired law enforcement officers (LEO).

To be issued a handgun permit as a retired LEO, one must retire in good standing, meaning, with no adverse disciplinary/administrative or criminal charges or criminal record. Upon retirement, the retiree receives a retirement badge and identification card to confirm their service affiliation with a particular law enforcement agency. These individuals are further vetted through a rigorous background investigation, conducted by the Maryland State Police, confirming not only do they meet the legal standard of eligibility for concealed carry permit but further as to their status as a retired LEO in good standing. According to statistics published by the Maryland State Police, over 85,000 concealed carry permits applications were received in 2023 alone (2024 numbers are not yet available).

In addition to keeping and maintaining the minimum standards required for Maryland conceal carry permit, many of these retirees go on to achieve and maintain additional level of proficiency. This is accomplished by applying for a national conceal carry permit under the Law Enforcement Officers Safety

Act (LEOSA) of 2004. This level of certification requires the retired law enforcement officer to meet the additional demands of an active duty LEO and shoot two (2) separate qualification courses (daylight and night fire) on an biannual basis. This in essence forces the retiree to maintain the same basic level of handgun training and proficiency as an active duty LEO.

As noted above, the Maryland State Police Licensing Division processes and investigates, concealed carry permits (CCP) submitted by the general public. According to statistics published by the Maryland State Police, over 85,000 concealed carry permits applications were received in 2023 alone (2024 numbers are not yet available). Retired LEO make up a relatively small portion of these permits. By expanding the renewal time from 3 years to 5 years for retired LEO's, it reduces the burden on the Maryland State Police, Licensing Division of performing exhaustive follow up investigations on highly trained law enforcement officers who technically retired from active service but continue to serve their communities in various capacities with honor, as law abiding citizens.

There is a financial impact of a CCP. The Maryland State Police alone, are charged by law, with conducting concealed carry permit applications. With more than 85,000 applications a year, this presents a daunting task. A Trooper's time in man hours, basic and overtime salaries and fuel costs are just some of the expenses to be considered. The fee of a CCP is \$125.00 for an initial application, \$75.00 for renewal. So, in essence, expanding the renewal time from 3 years to 5 years would provide a small positive fiscal return for the Maryland State Police and the State of Maryland by needless expenditure of undue man hours and salaries for these investigations of known law-abiding entities. Stated a little differently, given the volume of concealed applications processed, many of these investigations are conducted on an overtime basis to avoid taking time away from more pressing and time sensitive criminal investigations. This puts an even larger demand on overburdened police resources and budgets to investigate a known, a highly trained individual, who has served this State and their community with honor and distinction.

In addition to the points mentioned above, this Bill , if passed, would bring Maryland in line with our neighboring states of Pennsylvania and Virginia with 5 year renewals of concealed carry permits.

As an active duty or retired law enforcement officer, we are held to a higher standard by the community at large, with much greater expectations of conduct and character, especially in times of trouble. Those of us who have chosen to pursue the path of a law enforcement officer, embrace these expectations and live their lives accordingly. Given the dedicated years of service and sacrifice to the State of Maryland and our communities, we would appreciate your consideration in extending the renewal time for our conceal carry permit from 3 years to least 5 years.

Thank you.

SB180 Written Testimony

Uploaded by: Lamont Byrd

Position: FAV

My name is Lamont Byrd, I am a Wear and Carry Permit holder in the State of Maryland an active member of the Onyx Sharpshooters Gun Club and the National African American Gun Association. Please be advised that my comments regarding SBO180 are my own and I am not commenting on behalf of the organizations of which I am a member. I support this bill and offer an amendment that will make gun laws that govern law abiding gun owners more equitable.

According to an article published by Newsweek on June 24th, 2024, Maryland is among the top ten states with the most restrictive gun laws in the United States.¹

To obtain the Wear and Carry Permit, I had to successfully complete a 16-hour training course that was conducted by a qualified handgun instructor. The course included the following metrics:

- Maryland state firearm laws
- Home firearm safety
- Handgun mechanisms and operation, and
- Range qualification in which I had to demonstrate gun safety and shooting proficiency with a minimum score of 70%.

I had to pay a fee of \$295 for the approved course and \$31.25 for a background check and fingerprints.

Individuals who seek to obtain a renewal permit must successfully complete an 8-hour course that is conducted by a qualified handgun instructor. This training must be received within 2-years of submitting a renewal application.² This training costs approximately \$150.

¹<https://www.newsweek.com/map-shows-states-strictest-gun-laws-1917090#:~:text=The%2010%20states%20with%20the,South%20Dakota%2C%20Kansas%20and%20Arizona.>

²<https://mdsp.maryland.gov/Organization/Pages/CriminalInvestigationBureau/LicensingDivision/Training/WearandCarryPermit.aspx>

It is clearly evident individuals who obtain the Wear and Carry Permit must commit both financial and time resources. They must demonstrate both knowledge of applicable gun laws and shooting proficiency.

It would be appropriate and reasonable to amend the proposed legislation to allow permit holders who are in good standing with Maryland law to renew their permit every five years.

Thank you for your consideration of this proposal.

SB 180 Handgun Permits.pdf

Uploaded by: Cathy Wright

Position: FWA



**SB 180 Public Safety - Handgun Permits
Expiration and Renewal Periods for Retired Law Enforcement Officer**

FAVORABLE WITH AMENDMENTS

The Maryland State Rifle & Pistol Association (MSRPA) supports changing the period a permit to wear and carry a firearm is valid to FIVE years for all law-abiding citizens. MSRPA has been a longtime supporter of Maryland's law enforcement officers, but this legislation would establish an exemption and special category for a group of citizens which we cannot support. All Maryland citizens have equal protection under the law, and we would support this bill if amended to apply the five-year renewals to ALL law-abiding citizens.

Dr. John Lott has been publishing his statistical analysis on all things crime and firearm related via the Crime Prevention and Research Center since 2013 and has been producing annual reports on the number of concealed handgun permits since 2014. The latest, **Concealed Carry Permit Holders Across the United States: 2024**, explores the exponential growth in the number of permit holders over the years and shows a continual linear drop in the violent crime rate as lawful carry has increased, going back to 2004 (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5040077). While retired law enforcement officers are indeed law-abiding, the same is true for permit holders, nationwide. A carve-out of special privileges for a particular group of citizens is unjustified and unnecessary.

Previous studies by Dr. John Lott have also shown that the cost of concealed handgun permits can have two effects: it determines the number of people who get permits and the type of people who get them. Empirical research shows that the people who are the most likely victims of violent crime – people of limited financial means who live in high crime urban areas – are the ones who benefit the most from having concealed handgun permits. Higher costs and more frequent training periods/renewals have a disproportionate impact, thereby disenfranchising a group of people.

The MSRPA respectfully requests that SB 180 be amended to apply the five-year renewals to ALL law-abiding Maryland citizens.

Cathy S. Wright, MSRPA VP, Legislative Affairs
cwright@msrpa.org
<https://www.msrpa.org>
919.360.0484

The MSRPA is the official National Rifle Association state organization for Maryland. The MSRPA's mission is to defend your rights in Maryland, support training in firearm safety and shooting skills through its affiliated clubs, and sponsor and sanction local competition throughout the state.

SB0180.pdf

Uploaded by: Galen Muhammad

Position: FWA

SB0180

My name is Galen Muhammad and I am the Maryland State Director of the National African American Gun Association.

I stand in support of this bill with a friendly amendment.

It is a well proven fact that concealed carry, non-law enforcement citizens are as law-abiding as law enforcement officers, if not more. In his book, "**Gun Control Myths**", John Lott states that "*American handgun permit holders are extremely law abiding*" and "*concealed carry permit holders rarely get in trouble with their concealed carry guns*".¹ In the same book, he states that "*Concealed carry permit holders are convicted at 1/6th the rate that law enforcement officers are*".²

In his book, "**More Guns, Less Crime**", Lott also states that, "*out of every 100,000 permit holders, only a couple of them have had their permits revoked for a firearms-related violation. Most of these violations are trivial offenses.*"³

There is no **reason** to **not** include **all** concealed carry permit holders with this validation extension period for LEOs. Last year, this legislature voted to **increase** the fees **and** frequency of renewal for the Constitutional right to bear arms while *reducing* the validation period. It would also be right and more appropriate to **increase** the validity period to 5 years *instead* of its currently decreased 2 years.

I ask that this bill, with the **above** suggested friendly amendment, receive a favorable review.

¹ Gun Control Myths, by John Lott <https://www.gvpedia.org/gun-myths/no-crimes/#:~:text=Lott%20further%20claims%20that%20police,capita%20than%20the%20general%20population>.

² Gun Control Myths, by John Lott <https://www.gvpedia.org/gun-myths/no-crimes/#:~:text=Lott%20further%20claims%20that%20police,capita%20than%20the%20general%20population>.

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SB180 Written Testimony

Uploaded by: John Josselyn

Position: FWA



Senate Bill 0180
Public Safety – Handgun Permits – Expiration and Renewal Periods for
Retired Law Enforcement Officer
FAVORABLE with AMENDMENTS

We strongly support changing the period a permit to wear and carry a firearm is valid to 5 years. In view of the Bruen decision, the current 2-year period for a first permit and 3 years for renewals has no basis in logic and is out of step with the policies of most other states where a 5-year permit is the norm.

While we have great respect and admiration for our law enforcement officers, to create a “carve out” on any issue is something we cannot support. This nation was founded upon the concept that all citizens are created equal and have equal protection under the law.

We recommend amending Senate Bill 0180 by removing the existing language and revising Public Safety Article §5-309 (b) as follows:

~~(a) Except as provided in subsection (d) of this section, a~~ A permit expires on the last day of the holder’s birth month following ~~2~~ 5 years after the date the permit is issued.

(b) Subject to subsection (c) of this section, a permit may be renewed for successive periods of ~~3~~ 5 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 stated in this subtitle.

(c) A person who applies for a renewal of a 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.

~~(d) The Secretary may establish an alternative expiration date for a permit to coincide with the expiration of a license, certification, or commission for:~~

~~(1) a private detective under Title 13 of the Business Occupations and Professions Article;~~

~~(2) a security guard under Title 19 of the Business Occupations and Professions Article; or~~

~~(3) a special police officer under § 3-306 of this article.~~

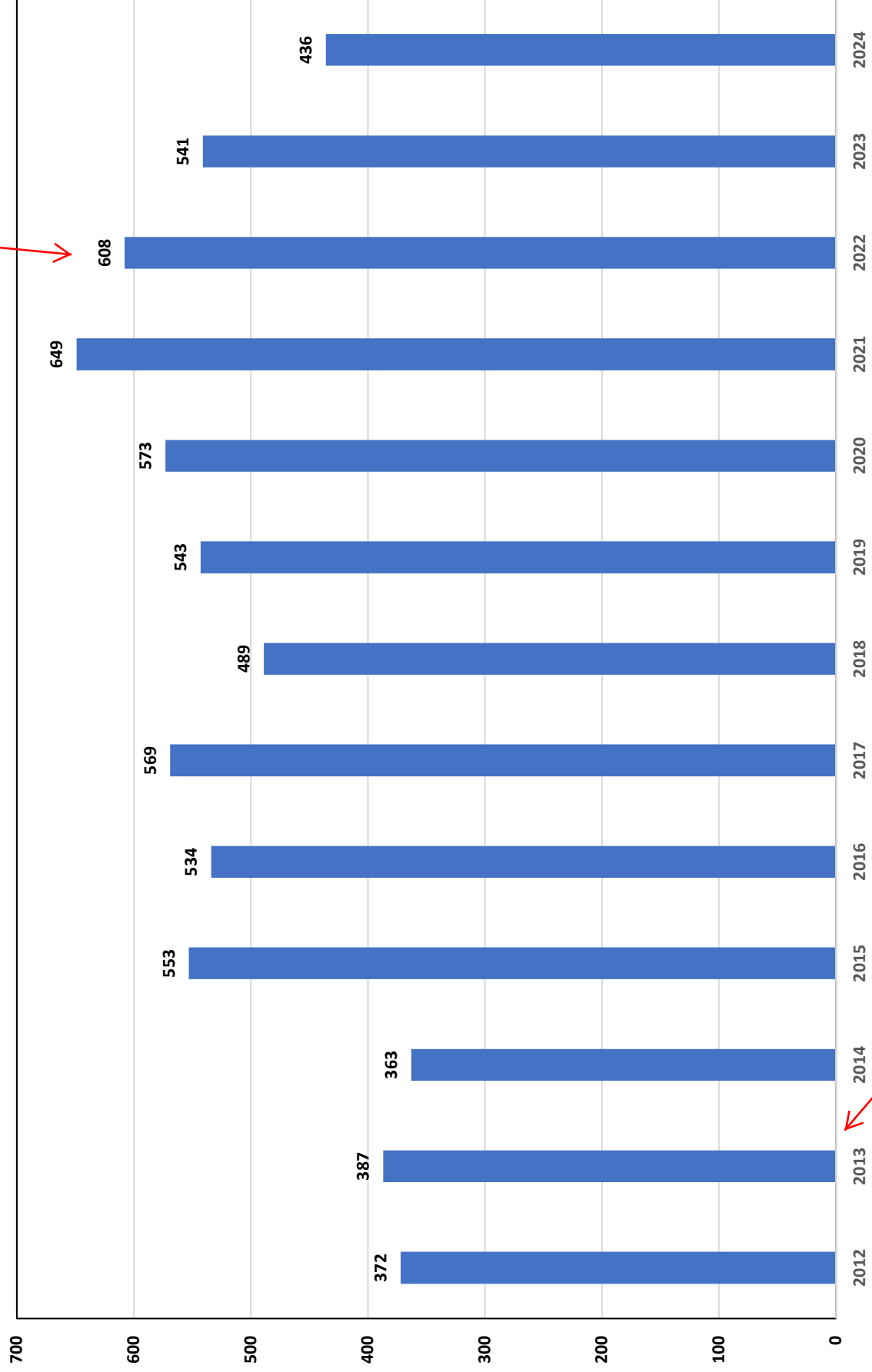
John H. Josselyn
2A Maryland
01/16/2025

2A Maryland

Data Source: 2012-2021 MD UCR

Data Source: 2022-2024 NIBRS

Homicide Trends in Maryland 2012-2024



US Supreme Court decision in Bruen on carry permits.

Firearms Safety Act of 2013 passed

2A Maryland - Maryland Gun Laws 1988-2024

Session	Bill Number	Bill Title
1988	HB1131	Handguns - Prohibition of Manufacture and Sale (Saturday Night Special Ban)
1989	SB0531	Firearms - Assault Weapons
1992	SB0043	Firearms - Access by Minors
1993	SB0330	Gun Shows - Sale, Trade or Transfer of Regulated Firearms
1994	HB0595?	Storehouse Breaking - Penalty
1994	SB0619	Assault Pistol Ban
1996	HB0297	Maryland Gun Violence Act of 1996
1996	HB1254	Education - Expulsion for Bringing a Firearm onto School Property
1999	HB0907	School Safety Act of 1999
2000	SB0211	Responsible Gun Safety Act of 2000
2001	HB0305	Bulletproof Body Armor - Prohibitions
2002	HB1272	Criminal Justice Information System - Criminal History Records Check
2009	HB0296	Family Law - Protective Orders - Surrender of Firearms
2009	HB0302	Family Law - Temporary Protective Orders - Surrender of Firearms
2011	HB0241	Criminal Law - Restrictions Against Use and Possession of Firearms
2011	HB0519	Firearms - Violation of Specified Prohibitions - Ammunition and Penalty
2012	HB0209	Public Safety - Possession of Firearms - Crimes Committed in Other States
2012	HB0618	Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms
2013	SB0281	Firearms Safety Act of 2013
2018	HB1029	Criminal Law - Wearing, Carrying or Transporting Loaded Handgun - Subsequent Offender
2018	HB1302	Public Safety - Extreme Risk Protective Orders
2018	HB1646	Criminal Procedure - Firearms Transfer
2018	SB0707	Criminal Law - Firearm Crimes - Rapid Fire Trigger Activators
2019	SB0346	Public Safety - Regulated Firearms - Prohibition of Loans
2020	HB1629	Office of the Attorney General - Firearm Crime, Injuries, Fatalities, and Crime Firearms - Study
2021	HB1186	Office of the Attorney General - Firearm Crime, Injuries, Fatalities, and Crime Firearms - Study Extension
2022	SB0387	Public Safety - Untraceable Firearms
2022	SB0861	Crimes - Firearms and Inmates - Enforcement, Procedures, and Reporting
2022	HB1021	Public Safety - Licensed Firearms Dealers - Security Requirements
2023	SB0001	Criminal Law - Wearing, Carrying, or Transporting Firearms - Restrictions (Gun Safety Act of 2023)
2023	SB0858	Firearm Safety - Storage Requirements and Youth Suicide Prevention (Jaelynn's Law)
2023	HB0824	Public Safety - Regulated Firearms - Possession and Permits to Carry, Wear, and Transport a Handgun
2024	HB0810	Criminal Law - Rapid-Fire Activator - Switch/Auto-Sear
2024	HB0947	Civil Actions - Public Nuisances - Firearm Industry Members (Gun Industry Accountability Act of 2024)

Article - Public Safety

[\[Previous\]](#)[\[Next\]](#)

§5–304.

(a) An application for a permit shall be made under oath.

(b) (1) Subject to subsections (c) and (d) of this section, the Secretary may charge a nonrefundable fee payable when an application is filed for a permit.

(2) The fee may not exceed:


(i) \$125 for an initial application;

(ii) \$75 for a renewal or subsequent application; and


(iii) \$20 for a duplicate or modified permit.

(3) The fees under this subsection are in addition to the fees authorized under § 5–305 of this subtitle.

(c) The Secretary may reduce the fee under subsection (b) of this section accordingly for a permit that is granted for one day only and at one place only.

 (d) The Secretary may not charge a fee under subsection (b) of this section to:

(1) a State, county, or municipal public safety employee who is required to carry, wear, or transport a handgun as a condition of governmental employment; or

 (2) a retired law enforcement officer of the State or a county or municipal corporation of the State.

(e) The applicant shall pay a fee under this section by an electronic check, a credit card, or a method of online payment approved by the Secretary.

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SB0180_B0171 Public Safety- Handgun Permits.pdf

Uploaded by: Karla Mooney

Position: FWA

SB0180/HB0171 Public Safety- Handgun Permits-Expiration and Renewal Periods for LEO

Karla Mooney
21175 Marigold St
Leonardtown MD 20650
Resident of St. Mary' County Dist. 29C

I am State Director of Women for Gun Rights formerly The DC Project. I stand in solidarity with the Ladies numbering many more than just myself. I am also a professional Multi-disciplined Firearms Instructor and Maryland QHIC.

This bill has good Merit for extending the renewal periods, however I believe it should be for all law-abiding citizens who can meet the requirements to receive a permit. Equal protection under the law must apply to all. The process is expensive and difficult for many to get through to begin with, so why should Law Enforcement Officers permits be easier than permits for law abiding citizens.

We are all law-abiding and we should all be able to renew our permits at 5 year intervals.

Karla Mooney

Katie_Novotny_FAVw Amend_SB180.pdf

Uploaded by: Katie Novotny

Position: FWA

WRITTEN TESTIMONY OF KATIE NOVOTNY IN SUPPORT OF SB180
WITH AMENDMENTS

January 14, 2025

I am a gun owner, advocate for the right to self-defense, certified range safety officer, and a competitor in firearms competition. I support SB180, but only with amendments.

Since the Bruen decision, the number of carry permits in Maryland has skyrocketed, and rightly so. The Supreme Court affirmed the rights of all law abiding citizens to carry firearms outside the home for the purpose of self-defense. Maryland's current carry permit process allows for a two year permit, plus the time until a persons birthday for the first permit, and then three years after that. This bill leaves that intact EXCEPT for retired police officers, to whom it extends the courtesy of a five year permit. Many former police simply carry under LEOSA and skip the state licensing process altogether, further reducing the effect of this bill.

ALL permit holds should be able to have a five year permit in the state of Maryland, not just a select few. What good reason is there to extend this only to retired police officers? If the reason for shorter permit times is to learn new laws in the classroom, aren't RETIRED police officers in need of the same information? They are no longer active duty, presumably learning new laws through their job. Any reason to extend permit length to retired police, can be applied to ordinary citizens as well.

If the argument is for more frequent background checks, there are methods in place to require permits to be revoked if a person is convicted a crime which makes them ineligible to continue having a carry permit. Maryland participates in the FBI's "Rap Back" system which notifies the MSP when a permit holder is arrested anywhere in the country. Furthermore, it was made a requirement, rather than simply allowed, to revoke a permit when a person is found to have become disqualified. This negates the need for a shorter permit. Extending the time for permit renewals for everyone would also ease the burden on the Maryland State Police Licensing Division caused by the large influx of applicants.

Speaking of burdens, it seems like an unnecessary burden for the MSP to then have to track the different classes of people for permit length. What modifications would need to be performed to the system to allow for this? At what cost and for what benefit? The MSP's time could be better spent on other activities than processing renewals.

Finally, Maryland is in the minority with its short permitting length. Even excluding the majority of states which are now Constitutional Carry (29), requiring no permit at all, most states have at least a five year permit. Our immediate neighbors Pennsylvania and Virginia both have five year permits. Delaware has an initial three year permit and then five year renewals.

Maryland should conform to numerous other states and change the permit renewal time to five years for all residents, saving both applicants and the state time and money.

Because of these reasons above, I request a favorable report with amendments.

Respectfully,

Katie Novotny

District 35A

Katie.novotny@hotmail.com

443-617-7568

MSI Testimony on SB 180 and HB 171 retired leos.pd

Uploaded by: Mark Pennak

Position: FWA



January 16, 2025

WRITTEN TESTIMONY OF MARK W. PENNAK, PRESIDENT, MSI, IN SUPPORT OF SB 180 and HB 171 *WITH AMENDMENTS*

I am the President of Maryland Shall Issue (“MSI”). Maryland Shall Issue is a Section 501(c)(4), all-volunteer, non-partisan organization dedicated to the preservation and advancement of gun owners’ rights in Maryland. It seeks to educate the community about the right of self-protection, the safe handling of firearms, and the responsibility that goes with carrying a firearm in public. I am also an attorney and an active member of the Bar of Maryland and of the Bar of the District of Columbia. I recently retired from the United States Department of Justice, where I practiced law for 33 years in the Courts of Appeals of the United States and in the Supreme Court of the United States. I am an expert in Maryland firearms law, federal firearms law and the law of self-defense. I am also a Maryland State Police certified handgun instructor for the Maryland Wear and Carry Permit and the Maryland Handgun Qualification License (“HQL”) and a certified NRA instructor in rifle, pistol, personal protection in the home, personal protection outside the home and in muzzle loader. I appear today as President of MSI in SUPPORT of SB 180 and the cross-file, HB 171, **WITH AMENDMENTS**.

The Bill:

Current Maryland law provides that wear and carry permits for the possession and transport of a handgun outside the home may be issued for an initial term of 2 years and that permit may thereafter be renewed for a 3-year term. See MD Code, Public Safety, § 5-309(a),(b). This bill would create a 5-year term for expiration of the carry permit as limited to “a retired law enforcement officer who retired in good standing from service with a law enforcement agency of the state or a county or municipal corporation of the state.” For the reasons set forth below, we respectfully suggest that while the 5-year term for permits is reasonable, retired law enforcement officers are not entitled to special consideration for these purposes. Accordingly, the Bill should be amended to apply a 5-year term for all permit holders, not merely for retired officers.

Discussion:

Stated simply, Maryland’s 2-year term for initial permits and the 3-year term for renewal inappropriately inflicts unwarranted costs on both permit holders and on the Maryland State Police, the agency charged with issuance of permits under MD Code, Public Safety, § 5-306. In particular, the scarce resources of the Maryland State Police can be put to better use, especially where, as now, the State is experiencing a budget shortfall.

Maryland’s limited expiration terms are anomalous. First, **29 States** are now “constitutional carry” jurisdictions meaning that no permit is required for carry by otherwise law-abiding, non-disqualified adults in that State. <https://bit.ly/3S2nbde>. By definition, the right to carry in these States is not subject to **any** time limit. Such “constitutional carry” states include

states with small populations, like New Hampshire, Vermont, and Maine, as well as states more heavily populated, such as Missouri, Florida, Texas, and Ohio. *Id.* Maryland's neighbors, Pennsylvania, and Virginia, allow **open carry without** a permit and issue **concealed** carry permits for those who wish to carry concealed. Those concealed carry permits are good for five years. Virginia Code, § 18.2-308.02; Pennsylvania Code § 1609(f). Similarly, in Delaware, open carry is allowed without a permit. The initial permit for concealed carry is good for 3 years and renewals are good for 5 years. Del. Code Ann. tit. 11, § 1441(a)(5).

Florida carry permits are good for **seven** years, Florida Statutes § 790.06, and such permits are particularly useful for those persons who wish to obtain the reciprocity widely accorded Florida's permit by other States. <https://bit.ly/4gIMkVj>. In contrast, Maryland does not recognize or accord reciprocity to any permit issued by any other State. Maryland will be forced to change that restriction under the Supremacy Clause of the Constitution, U.S. Const. Art. VI, cl. 2, if Congress imposes nationwide reciprocity. See <https://www.congress.gov/bill/119th-congress/house-bill/38>. Such legislation has strong support in the new Congress. See, e.g., <https://www.tillis.senate.gov/2025/1/tillis-colleagues-introduce-concealed-carry-reciprocity-bill>. Such legislation has also been endorsed by President-elect Trump. <https://www.newsnationnow.com/politics/trump-concealed-carry-reciprocity-law/>. It would be obviously senseless to require Marylanders to renew permits after two or three years if Maryland must accord full faith and credit to Florida permits which are good for seven years or to Virginia and Pennsylvania permits which are good for five years.

Second, even in States that still require carry permits for all types of carry, very few (e.g., New Jersey and California) impose a 2-year expiration period for permits. Michigan, for example, has a four-year expiration period for initial issuance and a 5-year term for renewals. Michigan Statutes, § Section 28.425l. Illinois (hardly a gun-friendly State), issues renewals for a five-year period. 430 ILCS 66/50. A carry permit is good for 6 years in Massachusetts, see Mass. Gen. Laws ch. 140, §§ 131(i), and for 5 years in Connecticut, see Conn. Gen. Stat. §§ 29-30(b). Not even New York uses a two-year period for initial permits or a 3-year period for renewals. Rather, New York law provides that a carry permit is valid for “five years after the date of issuance” for the City of New York, and for the counties of Nassau, Suffolk, and Westchester. NY Penal Code Art. 400.00(10)(a). Elsewhere in the State of New York, “any license to carry or possess a pistol or revolver, issued at any time pursuant to this section or prior to the first day of July, nineteen hundred sixty-three and not previously revoked or cancelled, **shall be in force and effect until revoked as herein provided.**” *Id.* Emphasis added. New York merely requires that the license be “recertified to the division of the state police every five years” and revokes any permit not recertified. *Id.* § 400.00(10)(b). Recertification does not require proof of training. *Id.*

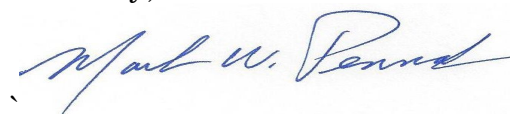
Third, there is simply no reason to require frequent renewals. Such short renewals are not necessary to ensure continual qualification for the permit as Maryland participates in the FBI's “Rap Back” system under which the State Police will receive prompt notification of an arrest of any permit holder anywhere in the United States. <https://www.dpscs.state.md.us/publicservs/bgchecks.shtml>. The State Police may immediately revoke the permit held by any person who is no longer qualified to hold the permit. MD Code, Public Safety, § 5-310. That disqualification includes, for example, “any person who is under indictment for a crime punishable by imprisonment for a term

exceeding one year,” 18 U.S.C. § 922(n), or has been convicted of any “felony or misdemeanor for which a sentence of imprisonment for more than 1 year has been imposed,” MD Code, Public Safety, § 5-306(a)(2), or is on “supervised probation for a “conviction of a crime punishable by imprisonment for 1 year or more” or for “violating a protective order” issued under the Family Law article of the Maryland code. *Id.* at §5-306(a)(4). In short, there is simply no reason for Maryland to continue to impose costly renewals on permit holders and on the Maryland State Police. Certainly, the State Police can put those resources to better use.

Finally, special treatment for retired law enforcement officers is unwarranted as such individuals already enjoy a privileged position under LEOSA, 18 U.S.C. § 926C. That provision of federal law provides that “[n]otwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce.” (Emphasis added). Thus, under LEOSA, otherwise qualified retired law enforcement officers need not obtain a State-issued permit **at all** to carry in Maryland. Indeed, because LEOSA expressly preempts State law, these individuals may disregard limitations otherwise imposed on permit holders by State law, subject only to the exceptions imposed by LEOSA itself. See 18 U.S.C. 926C(b). Given LEOSA, there is no reason to carve out retired officers for special treatment. While retired officers are undoubtedly law-abiding, the same is overwhelmingly true for permit holders, nationwide. See John Lott, Carlisle E. Moody, and Rujun Wang, *Concealed Carry Permit Holders Across the United States: 2024*, at 42-43 (2024) (“it is impossible to think of any other group in the US that is anywhere near as law-abiding,” noting further that “concealed carry permit holders are even more law-abiding than police”) (available at <https://bit.ly/3Pyv8G0>).

We urge a favorable report on this bill, if it is amended to include all permit holders.

Sincerely,



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As an educator and concealed carry permit holder, I support extending permit durations for qualified civilians who have demonstrated their commitment to safety and responsibility. We undergo rigorous state and federal background checks, including fingerprinting, criminal history reviews, and character assessments. Our dedication to lawful firearm ownership and consistent compliance with regulations makes us ideal candidates for extended permit validity. We have proven ourselves as responsible citizens who prioritize both personal and public safety