

HOUSE BILL 1337

E4

8lr3121

By: **Delegates Rose, Beitzel, Buckel, Ghrist, Krebs, Morgan, and Shoemaker**

Introduced and read first time: February 9, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Handgun Permits – Active, Reserve, or Retired Military**

3 FOR the purpose of establishing a presumption that an applicant for a permit to wear,
4 carry, or transport a handgun has a good and substantial reason to wear, carry, or
5 transport a handgun if the applicant is an active, reserve, or retired member of the
6 armed forces of the United States or the National Guard; and generally relating to
7 permits to wear, carry, or transport a handgun.

8 BY repealing and reenacting, without amendments,

9 Article – Public Safety

10 Section 5–306(a)

11 Annotated Code of Maryland

12 (2011 Replacement Volume and 2017 Supplement)

13 BY adding to

14 Article – Public Safety

15 Section 5–306(e)

16 Annotated Code of Maryland

17 (2011 Replacement Volume and 2017 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Public Safety**

21 5–306.

22 (a) Subject to subsection (c) of this section, the Secretary shall issue a permit
23 within a reasonable time to a person who the Secretary finds:

24 (1) is an adult;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) (i) has not been convicted of a felony or of a misdemeanor for which
2 a sentence of imprisonment for more than 1 year has been imposed; or

3 (ii) if convicted of a crime described in item (i) of this item, has been
4 pardoned or has been granted relief under 18 U.S.C. § 925(c);

5 (3) has not been convicted of a crime involving the possession, use, or
6 distribution of a controlled dangerous substance;

7 (4) is not presently an alcoholic, addict, or habitual user of a controlled
8 dangerous substance unless the habitual use of the controlled dangerous substance is under
9 legitimate medical direction;

10 (5) except as provided in subsection (b) of this section, has successfully
11 completed prior to application and each renewal, a firearms training course approved by
12 the Secretary that includes:

13 (i) 1. for an initial application, a minimum of 16 hours of
14 instruction by a qualified handgun instructor; or

15 2. for a renewal application, 8 hours of instruction by a
16 qualified handgun instructor;

17 (ii) classroom instruction on:

18 1. State firearm law;

19 2. home firearm safety; and

20 3. handgun mechanisms and operation; and

21 (iii) a firearms qualification component that demonstrates the
22 applicant's proficiency and use of the firearm; and

23 (6) based on an investigation:

24 (i) has not exhibited a propensity for violence or instability that may
25 reasonably render the person's possession of a handgun a danger to the person or to
26 another; and

27 (ii) has good and substantial reason to wear, carry, or transport a
28 handgun, such as a finding that the permit is necessary as a reasonable precaution against
29 apprehended danger.

30 **(E) IF AN APPLICANT IS AN ACTIVE, RESERVE, OR RETIRED MEMBER OF THE**
31 **ARMED FORCES OF THE UNITED STATES OR THE NATIONAL GUARD, THE**

1 **APPLICANT IS PRESUMED TO HAVE A GOOD AND SUBSTANTIAL REASON TO WEAR,**
2 **CARRY, OR TRANSPORT A HANDGUN.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2018.