

HOUSE BILL 1534

E4

8lr2668

By: **Delegates S. Howard and Ghrist**

Introduced and read first time: February 9, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Handgun Permits – Criminal History Check – Fingerprint Submission**
3 **Exception**

4 FOR the purpose of establishing that the Secretary of State Police is not required to submit
5 certain fingerprints with a certain application for a criminal history records check
6 under certain circumstances; and generally relating to criminal history checks for
7 handgun permit applications.

8 BY repealing and reenacting, without amendments,
9 Article – Public Safety
10 Section 5–301(a) and (d)
11 Annotated Code of Maryland
12 (2011 Replacement Volume and 2017 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Public Safety
15 Section 5–305
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:

Article – Public Safety

20 5–301.

22 (a) In this subtitle the following words have the meanings indicated.

23 (d) “Permit” means a permit issued by the Secretary to carry, wear, or transport
24 a handgun.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 5-305.

2 (a) In this section, "Central Repository" means the Criminal Justice Information
3 System Central Repository of the Department of Public Safety and Correctional Services.

4 (b) Except as provided in subsection (g) of this section, the Secretary shall apply
5 to the Central Repository for a State and national criminal history records check for each
6 applicant for a permit.

7 (c) As part of the application for a criminal history records check, the Secretary
8 shall submit to the Central Repository:

9 (1) **UNLESS THE APPLICANT'S FINGERPRINTS ARE ALREADY ON FILE**
10 **WITH THE DEPARTMENT OF STATE POLICE**, two complete sets of the applicant's legible
11 fingerprints taken on forms approved by the Director of the Central Repository and the
12 Director of the Federal Bureau of Investigation;

13 (2) the fee authorized under § 10-221(b)(7) of the Criminal Procedure
14 Article for access to Maryland criminal history records; and

15 (3) the mandatory processing fee required by the Federal Bureau of
16 Investigation for a national criminal history records check.

17 (d) In accordance with §§ 10-201 through 10-234 of the Criminal Procedure
18 Article, the Central Repository shall forward to the applicant and the Secretary a printed
19 statement of the applicant's criminal history record information.

20 (e) Information obtained from the Central Repository under this section:

21 (1) is confidential and may not be disseminated; and

22 (2) shall be used only for the licensing purpose authorized by this section.

23 (f) The subject of a criminal history records check under this section may contest
24 the contents of the printed statement issued by the Central Repository as provided in §
25 10-223 of the Criminal Procedure Article.

26 (g) For an employee of an armored car company who is an applicant for a permit,
27 the Secretary may accept a criminal background investigation performed on behalf of the
28 armored car company in place of the criminal history records check required by this section
29 if:

30 (1) the criminal background investigation meets the minimum
31 requirements established by the Department of State Police; and

32 (2) the Secretary performs a cursory check to verify the facts listed in the

1 criminal background investigation.

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