

HOUSE BILL 184

E4

6lr1308

By: **Delegate Dumais**

Introduced and read first time: January 21, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Firearm Application**

3 FOR the purpose of repealing a requirement that a certain firearm application contain a
4 copy of the applicant’s handgun qualification license; requiring that a firearm
5 application contain the applicant’s handgun qualification license number, with a
6 certain exception; and generally relating to firearm applications.

7 BY repealing and reenacting, with amendments,
8 Article – Public Safety
9 Section 5–118(b)
10 Annotated Code of Maryland
11 (2011 Replacement Volume and 2015 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Public Safety**

15 5–118.

16 (b) A firearm application shall contain:

17 (1) the firearm applicant’s name, address, Social Security number, place
18 and date of birth, height, weight, race, eye and hair color, signature, driver’s or
19 photographic identification soundex number, occupation, and regulated firearm
20 information for each regulated firearm to be purchased, rented, or transferred;

21 (2) the date and time that the firearm applicant delivered the completed
22 firearm application to the prospective seller or transferor;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) a statement by the firearm applicant under the penalty of perjury that
2 the firearm applicant:

3 (i) is at least 21 years old;

4 (ii) has never been convicted of a disqualifying crime;

5 (iii) has never been convicted of a violation classified as a common
6 law crime and received a term of imprisonment of more than 2 years;

7 (iv) is not a fugitive from justice;

8 (v) is not a habitual drunkard;

9 (vi) is not addicted to a controlled dangerous substance or is not a
10 habitual user;

11 (vii) does not suffer from a mental disorder as defined in §
12 10–101(i)(2) of the Health – General Article and have a history of violent behavior against
13 the firearm applicant or another;

14 (viii) has never been found incompetent to stand trial under § 3–106
15 of the Criminal Procedure Article;

16 (ix) has never been found not criminally responsible under § 3–110
17 of the Criminal Procedure Article;

18 (x) has never been voluntarily admitted for more than 30
19 consecutive days to a facility as defined in § 10–101 of the Health – General Article;

20 (xi) has never been involuntarily committed to a facility as defined in
21 § 10–101 of the Health – General Article;

22 (xii) is not under the protection of a guardian appointed by a court
23 under § 13–201(c) or § 13–705 of the Estates and Trusts Article, except for cases in which
24 the appointment of a guardian is solely a result of a physical disability;

25 (xiii) is not a respondent against whom:

26 1. a current non ex parte civil protective order has been
27 entered under § 4–506 of the Family Law Article; or

28 2. an order for protection, as defined in § 4–508.1 of the
29 Family Law Article, has been issued by a court of another state or a Native American tribe
30 and is in effect; and

1 (xiv) if under the age of 30 years at the time of application, has not
2 been adjudicated delinquent by a juvenile court for an act that would be a disqualifying
3 crime if committed by an adult; and

4 (4) [a copy of] **UNLESS THE APPLICANT IS EXCLUDED UNDER §**
5 **5-117.1(A) OF THIS SUBTITLE**, the applicant's handgun qualification license **NUMBER**.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2016.