

# HOUSE BILL 769

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CF SB 214

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By: **Delegates McComas, Kittleman, Krebs, and Vogt**

Introduced and read first time: February 8, 2016

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Handgun Permit – Temporary Training Waiver**

3 FOR the purpose of authorizing the Secretary of State Police, on making a determination  
4 that an applicant has demonstrated evidence of imminent danger to the applicant,  
5 to temporarily waive a certain requirement to complete a certain firearms training  
6 course; requiring a certain permit to require completion of a certain course within a  
7 certain time period from the issuance of the permit; and generally relating to  
8 firearms.

9 BY repealing and reenacting, without amendments,  
10 Article – Public Safety  
11 Section 5–306(a)  
12 Annotated Code of Maryland  
13 (2011 Replacement Volume and 2015 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Public Safety  
16 Section 5–306(b)  
17 Annotated Code of Maryland  
18 (2011 Replacement Volume and 2015 Supplement)

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

21 **Article – Public Safety**

22 5–306.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) is an adult;

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

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

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

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

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

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

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

18 (ii) classroom instruction on:

19 1. State firearm law;

20 2. home firearm safety; and

21 3. handgun mechanisms and operation; and

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

24 (6) based on an investigation:

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

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

1 (b) (1) An applicant for a permit is not required to complete a certified firearms  
2 training course under subsection (a) of this section if the applicant:

3 [(1)] (I) is a law enforcement officer or a person who is retired in good  
4 standing from service with a law enforcement agency of the United States, the State, or  
5 any local law enforcement agency in the State;

6 [(2)] (II) is a member, retired member, or honorably discharged member  
7 of the armed forces of the United States or the National Guard;

8 [(3)] (III) is a qualified handgun instructor; or

9 [(4)] (IV) has completed a firearms training course approved by the  
10 Secretary.

11 (2) (I) ON A DETERMINATION THAT THE APPLICANT HAS  
12 DEMONSTRATED CLEAR EVIDENCE OF IMMINENT DANGER TO THE APPLICANT, THE  
13 SECRETARY MAY TEMPORARILY WAIVE THE REQUIREMENT TO COMPLETE A  
14 CERTIFIED FIREARMS TRAINING COURSE UNDER SUBSECTION (A) OF THIS SECTION.

15 (II) A PERMIT ISSUED UNDER THIS PARAGRAPH SHALL  
16 REQUIRE THE APPLICANT TO COMPLETE THE TRAINING COURSE WITHIN 60 DAYS  
17 AFTER THE ISSUANCE OF THE PERMIT.

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