

SENATE BILL 198

E4
SB 115/19 – JPR

01r0889

By: **Senators Hough, Bailey, Carozza, Cassilly, Eckardt, Edwards, Gallion, Hershey, Jennings, Klausmeier, Ready, Reilly, Salling, Serafini, and Simonaire**

Introduced and read first time: January 16, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Permit to Carry, Wear, or Transport a Handgun – Qualifications**

3 FOR the purpose of clarifying that personal protection or self–defense can qualify as a good
4 and substantial reason to carry, wear, or transport a handgun for purposes of the
5 issuance by the Secretary of State Police of a permit to carry, wear, or transport a
6 handgun; and generally relating to a permit to carry, wear, or transport a handgun.

7 BY repealing and reenacting, without amendments,

8 Article – Public Safety

9 Section 5–301(a) and (d)

10 Annotated Code of Maryland

11 (2018 Replacement Volume and 2019 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Public Safety

14 Section 5–306(a)

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2019 Supplement)

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

18 That the Laws of Maryland read as follows:

19 **Article – Public Safety**

20 5–301.

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

22 (d) “Permit” means a permit issued by the Secretary to carry, wear, or transport

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 a handgun.

2 5–306.

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

5 (1) is an adult;

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

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

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

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

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

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

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

22 (ii) classroom instruction on:

23 1. State firearm law;

24 2. home firearm safety; and

25 3. handgun mechanisms and operation; and

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

28 (6) based on an investigation:

29 (i) has not exhibited a propensity for violence or instability that may
30 reasonably render the person's possession of a handgun a danger to the person or to

1 another; and

2 (ii) has good and substantial reason to wear, carry, or transport a
3 handgun, such as **PERSONAL PROTECTION, SELF-DEFENSE, OR** a finding that the
4 permit is necessary as a reasonable precaution against apprehended danger.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2020.