

# HOUSE BILL 1417

E4

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HB 353/25 – JUD

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By: **Delegates Arikан, Baker, Chisholm, Grammer, M. Morgan, Nawrocki, Reilly, Szeliga, Valentine, and Wivell**

Introduced and read first time: February 13, 2026

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Handgun Permit Requirement – Repeal**  
3 **(Maryland Constitutional Carry Act)**

4 FOR the purpose of repealing the requirement that a person have a certain permit before  
5 the person carries, wears, or transports a handgun; repealing certain criminal  
6 prohibitions against a person who is at least a certain age wearing, carrying, or  
7 transporting a handgun; and generally relating to wearing, carrying, or transporting  
8 a handgun.

9 BY repealing

10 Article – Public Safety  
11 Section 5–301 and 5–303 through 5–314 and the subtitle “Subtitle 3. Handgun  
12 Permits”  
13 Annotated Code of Maryland  
14 (2022 Replacement Volume and 2025 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Criminal Law  
17 Section 4–101(b) and 4–203(a) and (b)  
18 Annotated Code of Maryland  
19 (2021 Replacement Volume and 2025 Supplement)

20 BY adding to

21 Article – Criminal Law  
22 Section 4–207  
23 Annotated Code of Maryland  
24 (2021 Replacement Volume and 2025 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – Natural Resources

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Section 10-410(c)  
Annotated Code of Maryland  
(2023 Replacement Volume and 2025 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, Section(s) 5-301 and 5-303 through 5-314 and the subtitle "Subtitle 3. Handguns" of Article – Public Safety of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
as follows:

## Article – Criminal Law

10 4-101.

11 (b) This section does not prohibit the following individuals from carrying a  
12 weapon:

(1) an officer of the State, or of any county or municipal corporation of the State, who is entitled or required to carry the weapon as part of the officer's official equipment, or by any conservator of the peace, who is entitled or required to carry the weapon as part of the conservator's official equipment, or by any officer or conservator of the peace of another state who is temporarily in this State;

18 (2) a special agent of a railroad; OR

(4)] an individual who carries the weapon as a reasonable precaution against apprehended danger, subject to the right of the court in an action arising under this section to judge the reasonableness of the carrying of the weapon, and the proper occasion for carrying it, under the evidence in the case.

25 4-203.

26 (a) (1) Except as provided in subsection (b) of this section[, a person may not]:

27 (i) A PERSON UNDER THE AGE OF 21 YEARS MAY NOT wear,  
28 carry, or transport a handgun, whether concealed or open, on or about the person;

4 (iv) [violate item (i) or (ii) of this paragraph] A PERSON MAY NOT  
5 **WEAR, CARRY, OR TRANSPORT A HANDGUN, WHETHER CONCEALED OR OPEN, ON OR**  
6 **ABOUT THE PERSON** with the deliberate purpose of injuring or killing another person; [or]  
7 **AND**

(2) There is a rebuttable presumption that a person who transports a handgun under paragraph (1)(ii) of this subsection transports the handgun knowingly.

14 (b) This section does not prohibit:

15 (1) the wearing, carrying, or transporting of a handgun by a person who is  
16 authorized at the time and under the circumstances to wear, carry, or transport the  
17 handgun as part of the person's official equipment, and is:

18 (i) a law enforcement official of the United States, the State, or a  
19 county or city of the State;

20 (ii) a member of the armed forces of the United States or of the  
21 National Guard on duty or traveling to or from duty;

22 (iii) a law enforcement official of another state or subdivision of  
23 another state temporarily in this State on official business;

24 (iv) a correctional officer or warden of a correctional facility in the  
25 State;

26 (v) a sheriff or full-time assistant or deputy sheriff of the State; or

27 (vi) a temporary or part-time sheriff's deputy;

1 fide residence and place of business of the person, if the business is operated and owned  
2 substantially by the person if each handgun is unloaded and carried in an enclosed case or  
3 an enclosed holster;]

11                   [(5) the moving by a bona fide gun collector of part or all of the collector's  
12 gun collection from place to place for public or private exhibition if each handgun is  
13 unloaded and carried in an enclosed case or an enclosed holster;

14 (6) the wearing, carrying, or transporting of a handgun by a person on real  
15 estate that the person owns or leases or where the person resides or within the confines of  
16 a business establishment that the person owns or leases;

17 (7) the wearing, carrying, or transporting of a handgun by a supervisory  
18 employee:

19 (i) in the course of employment;

20 (ii) within the confines of the business establishment in which the  
21 supervisory employee is employed; and

22 (iii) when so authorized by the owner or manager of the business  
23 establishment;]

24                   [(8)] (3) the carrying or transporting of a signal pistol or other visual  
25 distress signal approved by the United States Coast Guard in a vessel on the waterways of  
26 the State or, if the signal pistol or other visual distress signal is unloaded and carried in an  
27 enclosed case, in a vehicle[; or

(9) the wearing, carrying, or transporting of a handgun by a person who is carrying a court order requiring the surrender of the handgun, if:

30 (i) the handgun is unloaded;

31 (ii) the person has notified the law enforcement unit, barracks, or  
32 station that the handgun is being transported in accordance with the court order; and

33 (iii) the person transports the handgun directly to the law  
34 enforcement unit, barracks, or station].

1 4-207.

2 (A) A PERSON MAY NOT WEAR, CARRY, OR TRANSPORT A HANDGUN WHILE  
3 THE PERSON IS UNDER THE INFLUENCE OF ALCOHOL OR DRUGS.

4 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
5 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A  
6 FINE NOT EXCEEDING \$1,000 OR BOTH.

7 **Article – Natural Resources**

8 10-410.

9 (c) (1) A person may not shoot at any species of wildlife from an automobile or  
10 other vehicle or, except as provided in § 4-203(b) of the Criminal Law Article [and Title 5,  
11 Subtitle 3 of the Public Safety Article], possess in or on an automobile or other vehicle a  
12 loaded handgun or shotgun, or a rifle containing any ammunition in the magazine or  
13 chamber.

14 (2) If this subsection is violated by an occupant of a vehicle which has 2 or  
15 more occupants and it cannot be determined which occupant is the violator, the owner of  
16 the vehicle, if present, shall be presumed to be responsible for the violation. In the absence  
17 of the owner of the vehicle, the operator of the vehicle shall be presumed to be responsible  
18 for the violation.

19 (3) Provisions of this subsection do not apply to a disabled person who  
20 obtains a special permit under § 10-307 of this title.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2026.