

A010-0708

10 **AN ACT CONCERNING**

20 Public Safety – Handgun Permits – Repeal of Finding Requirement

30 FOR the purpose of repealing the requirement that the Secretary of State Police find that a person
40 has a good and substantial reason to wear, carry, or transport a handgun before issuing a certain
50 handgun permit to the person; and generally relating to the issuing of handgun permits by the
60 Secretary of State Police.

70 BY repealing and reenacting, with amendments,

80 Article – Public Safety

90 Section 5-306

100 Annotated Code of Maryland

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

130 **Article – Public Safety**

140 **§ 5-306**

150 (a) Subject to subsection (b) of this section, the Secretary shall issue a
160 permit within areas on able time to a person who the Secretary finds:

170 (1) is an adult;

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

210 (ii) if convicted of a crime described in item (i) of this item,
220 has been pardoned or has been granted relief under 18 U.S.C.
230 §925(c); 2 HOUSE BILL 2

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

260 (4) is not presently an alcoholic, addict, or habitual user of a controlled
270 dangerous substance unless the habitual use of the controlled dangerous
280 substance is under legitimate medical direction; and

290 (5) based on an investigation;

300 ~~(6) has not exhibited a propensity for violence or instability~~
310 ~~that may reasonably render the person's possession of a~~
320 ~~handgun a danger to the person or to another; and~~

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

360 (b) An applicant under the age of 30 years is qualified only if the Secretary finds
370 that the applicant has not been:

380 (1) committed to a detention, training, or correctional institution for
390 juveniles for longer than 1 year after an adjudication of delinquency by
400 a juvenile court; or

410 (2) adjudicated delinquent by a juvenile court for:

420 (i) an act that would be a crime of violence if committed by an
430 adult;

440 (ii) an act that would be a felony in this State if committed by
450 an adult; or

460 (iii) an act that would be a misdemeanor in this State that
470 carries a statutory penalty of more than 2 years if committed
480 by an adult.

490 SECTION 2: AND BE IT FURTHER ENACTED, that this act shall take effect January 1, 2009.

500 **MANDATES:** Governor Martin J. O'Malley
510 Lt. Governor Anthony G. Brown
520 Senate President Thomas V. "Mike" Miller
530 Speaker of the House of Delegates Michael E. Busch
540 House Majority Leader Kumar P. Barve
550 House Minority Leader Anthony J O'Donnell
560 Senate Majority Leader Edward J. Kasemeyer
570 Senate Minority Leader David R. Brinkley

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