

SENATE BILL 115

E4
SB 99/18 – JPR

9lr0743

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

Introduced and read first time: January 16, 2019

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)

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)

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
23 a handgun.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 5-306.

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

4 (1) is an adult;

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

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

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

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

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

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

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

21 (ii) classroom instruction on:

22 1. State firearm law;

23 2. home firearm safety; and

24 3. handgun mechanisms and operation; and

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

27 (6) based on an investigation:

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

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2019.