

HOUSE BILL 860

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CF SB 463

By: **Delegates Hartman, Anderton, Arentz, Buckel, Chisholm, Ciliberti, Ghrist, Griffith, Hornberger, Howard, McComas, Miller, M. Morgan, T. Morgan, Rose, and Valentine**

Introduced and read first time: February 9, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Permit to Wear, Carry, or Transport a Handgun Denial – Refund**
3 **of Application Fee**

4 FOR the purpose of requiring the Secretary of State Police to refund certain application
5 fees under certain circumstances to individuals who were previously denied a permit
6 to wear, carry, or transport a firearm within a certain timeframe; and generally
7 relating to permits to wear, carry, or transport a handgun.

8 BY repealing and reenacting, without amendments,
9 Article – Public Safety
10 Section 5–301(a) and (c) and 5–306(a)(6)(ii)
11 Annotated Code of Maryland
12 (2022 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article – Public Safety
15 Section 5–304
16 Annotated Code of Maryland
17 (2022 Replacement Volume)

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

Article – Public Safety

20 5–301.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) "Permit" means a permit issued by the Secretary to carry, wear, or transport
2 a handgun.

3 5–304.

4 (a) An application for a permit shall be made under oath.

5 (b) (1) Subject to subsections (c) [and], (d), AND (E) of this section, the
6 Secretary may charge a nonrefundable fee payable when an application is filed for a permit.

7 (2) The fee may not exceed:

8 (i) \$75 for an initial application;

9 (ii) \$50 for a renewal or subsequent application; and

10 (iii) \$10 for a duplicate or modified permit.

11 (3) The fees under this subsection are in addition to the fees authorized
12 under § 5–305 of this subtitle.

13 (c) The Secretary may reduce the fee under subsection (b) of this section
14 accordingly for a permit that is granted for one day only and at one place only.

15 (d) The Secretary may not charge a fee under subsection (b) of this section to:

16 (1) a State, county, or municipal public safety employee who is required to
17 carry, wear, or transport a handgun as a condition of governmental employment; or

18 (2) a retired law enforcement officer of the State or a county or municipal
19 corporation of the State.

20 (E) THE SECRETARY SHALL REFUND THE APPLICATION FEE UNDER
21 SUBSECTION (B) OF THIS SECTION TO AN APPLICANT WHO:

22 (1) BETWEEN JULY 5, 2019, AND JULY 5, 2022, BOTH INCLUSIVE, WAS
23 DENIED A PERMIT OR RENEWAL OF A PERMIT FOR FAILING TO SATISFY THE GOOD
24 AND SUBSTANTIAL REASON REQUIREMENT UNDER § 5–306(A)(6)(II) OF THIS
25 SUBTITLE; AND

26 (2) FILES A CLAIM IN A FORM AND CONTAINING THE INFORMATION
27 AND SUPPORTING DOCUMENTS REQUIRED BY THE SECRETARY.

28 [(e)] (F) The applicant shall pay a fee under this section by an electronic check,
29 a credit card, or a method of online payment approved by the Secretary.

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 (6) based on an investigation:

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2023.