

SENATE BILL 156

E4

8lr1337
CF 8lr1297

By: **Senators Norman and Salling**

Introduced and read first time: January 15, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Handgun Permit – Church or Religious Organization Property**

3 FOR the purpose of requiring the Secretary of State Police to issue a handgun permit to a
4 person who is otherwise qualified, has the consent of a certain church or religious
5 organization to carry a handgun on the property of the church or religious
6 organization during certain events, and has the intent to wear, carry, or transport a
7 handgun for certain purposes on the property of the church or religious organization;
8 specifying that a handgun permit for a certain person shall authorize the person to
9 carry a handgun on the property of a church or religious organization during certain
10 events and transport a handgun to and from certain church or religious organization
11 events; and generally relating to the issuing of permits to carry, wear, or transport
12 a handgun.

13 BY repealing and reenacting, with amendments,
14 Article – Public Safety
15 Section 5–306(a) and 5–307
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2017 Supplement)

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 5–306.

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

24 (1) is an adult;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

17 (ii) classroom instruction on:

18 1. State firearm law;

19 2. home firearm safety; and

20 3. handgun mechanisms and operation; and

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

23 (6) based on an investigation:

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

27 (ii) **1.** has good and substantial reason to wear, carry, or
28 transport a handgun, such as a finding that the permit is necessary as a reasonable
29 precaution against apprehended danger; **OR**

30 **2.** **HAS THE WRITTEN CONSENT OF THE GOVERNING**
31 **BOARD OF A BONA FIDE CHURCH OR RELIGIOUS ORGANIZATION TO CARRY A**

1 HANDGUN ON THE PROPERTY OF THE CHURCH OR RELIGIOUS ORGANIZATION
2 DURING SERVICES AND GATHERINGS AND HAS THE INTENT TO WEAR, CARRY, OR
3 TRANSPORT A HANDGUN FOR PURPOSES RELATED TO SELF-PROTECTION OR THE
4 PROTECTION OF OTHERS WHILE ON THE PROPERTY OF THE CHURCH OR RELIGIOUS
5 ORGANIZATION.

6 5-307.

7 (a) A permit is valid for each handgun legally in the possession of the person to
8 whom the permit is issued.

9 (b) [The] **SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE** Secretary may
10 limit the geographic area, circumstances, or times of the day, week, month, or year in which
11 a permit is effective.

12 (c) **A PERSON WHO QUALIFIES BASED ON THE WRITTEN CONSENT OF THE**
13 **GOVERNING BOARD OF A BONA FIDE CHURCH OR RELIGIOUS ORGANIZATION WITH**
14 **THE INTENT TO WEAR, CARRY, OR TRANSPORT A HANDGUN ON THE PROPERTY OF**
15 **THE CHURCH OR RELIGIOUS ORGANIZATION UNDER § 5-306(A)(6)(II)2 OF THIS**
16 **SUBTITLE SHALL BE AUTHORIZED TO:**

17 (1) **CARRY A HANDGUN ON THE PROPERTY OF THE CHURCH OR**
18 **RELIGIOUS ORGANIZATION DURING SERVICES AND GATHERINGS; AND**

19 (2) **TRANSPORT A HANDGUN TO AND FROM SERVICES AND**
20 **GATHERINGS OF THE CHURCH OR RELIGIOUS ORGANIZATION.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2018.