

# HOUSE BILL 1005

E4

4lr2734

---

By: **Delegates Bromwell, Aumann, Beidle, Bohanan, Boteler, Clagett, Cluster, Conway, Costa, DeBoy, Donoghue, Dwyer, Eckardt, Frank, George, Haddaway–Riccio, Hogan, K. Kelly, Kipke, Love, Malone, McConkey, Minnick, Olszewski, Rudolph, Schuh, Schulz, Smigiel, Vitale, Weir, and Wilson**

Introduced and read first time: February 6, 2014

Assigned to: Judiciary

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Firearms – Handgun Permit Requirements – Retired Military**

3 FOR the purpose of requiring the Secretary of State Police to issue a certain handgun  
4 permit to a person who is a retired member of the armed forces of the United  
5 States or the National Guard; and generally relating to handgun permit  
6 requirements.

7 BY repealing and reenacting, with amendments,  
8 Article – Public Safety  
9 Section 5–306(a)  
10 Annotated Code of Maryland  
11 (2011 Replacement Volume and 2013 Supplement)

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

14 **Article – Public Safety**

15 5–306.

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

18 **(1) IS A RETIRED MEMBER OF THE ARMED FORCES OF THE**  
19 **UNITED STATES OR THE NATIONAL GUARD; OR**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **[(1)] (2) (I)** is an adult;

2           **[(2) (i)] (II) 1.** has not been convicted of a felony or of a  
3 misdemeanor for which a sentence of imprisonment for more than 1 year has been  
4 imposed; or

5                   **[(ii)] 2.** if convicted of a crime described in item **[(i)] 1** of this  
6 item, has been pardoned or has been granted relief under 18 U.S.C. § 925(c);

7           **[(3)] (III)** has not been convicted of a crime involving the possession,  
8 use, or distribution of a controlled dangerous substance;

9           **[(4)] (IV)** is not presently an alcoholic, addict, or habitual user of a  
10 controlled dangerous substance unless the habitual use of the controlled dangerous  
11 substance is under legitimate medical direction;

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

15                   **[(i) 1.] 1. A.** for an initial application, a minimum of 16  
16 hours of instruction by a qualified handgun instructor; or

17                           **[2.] B.** for a renewal application, 8 hours of instruction  
18 by a qualified handgun instructor;

19                   **[(ii)] 2.** classroom instruction on:

20                           **[1.] A.** State firearm law;

21                           **[2.] B.** home firearm safety; and

22                           **[3.] C.** handgun mechanisms and operation; and

23                   **[(iii)] 3.** a firearms qualification component that demonstrates  
24 the applicant's proficiency and use of the firearm; and

25           **[(6)] (VI)** based on an investigation:

26                   **[(i)] 1.** has not exhibited a propensity for violence or  
27 instability that may reasonably render the person's possession of a handgun a danger  
28 to the person or to another; and

29                   **[(ii)] 2.** has good and substantial reason to wear, carry, or  
30 transport a handgun, such as a finding that the permit is necessary as a reasonable  
31 precaution against apprehended danger.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2    October 1, 2014.