

**A006-0405**

10 AN ACT CONCERNING

20 **Public Safety – Qualifications for Permit – Revision**

30 **FOR** the purpose of establishing a definition of reasonable time; eliminating certain qualifications  
40 for an individual to obtain a permit; requiring applicants to have completed a state certified  
50 firearms safety training course; altering the qualifications for applicants under the age of 30;  
60 generally relating to the qualifications pertaining to handgun permits.

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 MARYLAND STUDENT LEGISLATURE, That the  
120 Laws of Maryland read as follows:

130 § 5-306. Qualifications for permit.

140 (A) “*REASONABLE TIME*” *DEFINED.* - IN THIS SECTION, “REASONABLE TIME”  
150 MEANS NO MORE THAN 90 DAYS.

160 ~~(A)~~(B) In general.- Subject to subsection ~~(A)~~(C) of this section, the Secretary shall issue a permit  
170 within a reasonable time to a person who the Secretary finds:

180 (1) is an adult;

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

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

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

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

280 (5) HAS COMPLETED A CERTIFIED FIREARMS SAFETY TRAINING  
290 COURSE, AS PERSCRIBED IN § 3-208(B) OF THIS ARTICLE; AND

300 ~~(5)~~(6) based on an investigation:

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

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

370 ~~(b)~~(C) Applicant under age of 30 years.- An applicant under the age of 30 years is qualified only

- 380 if the Secretary finds that the applicant has not been:
- 390 (1) committed to a detention, training, or correctional institution for juveniles for  
400 longer than 1 year after an adjudication of delinquency by 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 adult;
- 430 (ii) an act that would be a felony in this State if committed by an adult; or
- 440 (iii) an act that would be a misdemeanor in this State that carries a statutory  
450 penalty of more than  $\geq$  1 years if committed by an adult.

460 **SECTION 2.** BE IT FURTHER ENACTED, That this Act takes effect October 1, 2005.

470 **MANDATES:**

480 Robert L. Ehrlich, Jr., Governor  
490 Mary Ann Saar, Secretary of Public Safety & Correctional Services  
500 Brian E. Frosh, Chair, Senate Judicial Proceedings Committee  
510 Joseph F. Vallario, Jr., Chair, Judiciary Committee  
520 Nathaniel J. McFadden, Senate Majority Leader  
530 J. Lowell Stolultz, Senate Minority Leader  
540 David R. Brinkley, Senator  
550 Kumar P. Barve, House Majority Leader  
560 George C. Edwards, House Minority Leader

**Sponsor:**

Dan Holler, Tory Caucus Leader, Washington College

**Co-Sponsors:**

Chris Tinsman, VDCP, Washington College  
Craig Reynolds, VDCP, Anne Arundel Community College  
Courtney Smith, Mount St. Mary's University  
Holly Brownley, Co-DCP, St. Mary's College  
Caitrin McCarron, Co-DCP, St. Mary's College  
Liz Lewis, St. Mary's College  
Matthew Penick, University of Maryland, Baltimore County