

HOUSE BILL 716

E4

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By: **Delegates Smigiel, Afzali, Aumann, Bromwell, Cluster, Elliott, George, Glass, Jacobs, K. Kelly, Kipke, Krebs, McComas, W. Miller, Ready, Schulz, Stocksdale, Szeliga, and Vitale**

Introduced and read first time: January 31, 2014

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Handgun Qualification License – Qualified Handgun**
3 **Instructors and Permit Holders**

4 FOR the purpose of establishing that certain provisions relating to a handgun
5 qualification license do not apply to a certain qualified handgun instructor;
6 establishing that a person may purchase, rent, or receive a handgun without a
7 handgun qualification license if the person is a certain qualified handgun
8 instructor and is not otherwise prohibited under State or federal law; requiring
9 the Secretary of State Police to issue a handgun qualification license to a certain
10 person who meets the requirements for a certain permit to carry, wear, or
11 transport a handgun; and generally relating to handgun qualification licenses.

12 BY repealing and reenacting, with amendments,
13 Article – Public Safety
14 Section 5–117.1(a) and (c) and 5–306(d)
15 Annotated Code of Maryland
16 (2011 Replacement Volume and 2013 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Public Safety
19 Section 5–117.1(b) and 5–301(a) and (d)
20 Annotated Code of Maryland
21 (2011 Replacement Volume and 2013 Supplement)

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

24 **Article – Public Safety**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 5-117.1.

2 (a) This section does not apply to:

3 (1) a licensed firearms manufacturer;

4 (2) a law enforcement officer or person who is retired in good standing
5 from service with a law enforcement agency of the United States, the State, or a local
6 law enforcement agency of the State;

7 (3) a member or retired member of the armed forces of the United
8 States or the National Guard; [or]

9 (4) a person purchasing, renting, or receiving an antique, curio, or
10 relic firearm, as defined in federal law or in determinations published by the Bureau
11 of Alcohol, Tobacco, Firearms and Explosives; **OR**

12 **(5) A QUALIFIED HANDGUN INSTRUCTOR.**

13 (b) A dealer or any other person may not sell, rent, or transfer a handgun to
14 a purchaser, lessee, or transferee unless the purchaser, lessee, or transferee presents
15 to the dealer or other person a valid handgun qualification license issued to the
16 purchaser, lessee, or transferee by the Secretary under this section.

17 (c) A person may purchase, rent, or receive a handgun only if the person:

18 (1) (i) possesses a valid handgun qualification license issued to the
19 person by the Secretary in accordance with this section;

20 (ii) possesses valid credentials from a law enforcement agency
21 or retirement credentials from a law enforcement agency;

22 (iii) is an active or retired member of the armed forces of the
23 United States or the National Guard and possesses a valid military identification card;
24 [or]

25 (iv) is purchasing, renting, or receiving an antique, curio, or relic
26 firearm, as defined in federal law or in determinations published by the Bureau of
27 Alcohol, Tobacco, Firearms and Explosives; [and] **OR**

28 **(V) IS A QUALIFIED HANDGUN INSTRUCTOR; AND**

29 (2) is not otherwise prohibited from purchasing or possessing a
30 handgun under State or federal law.

31 5-301.

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

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

4 5-306.

5 (d) The Secretary [may] **SHALL** issue a handgun qualification license,
6 without an additional application or fee, to a person who:

7 (1) meets the requirements for issuance of a permit under this section;
8 and

9 (2) does not have a handgun qualification license issued under §
10 5-117.1 of this title.

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