

HOUSE BILL 17

E4

6lr1087

(PRE-FILED)

By: **Delegate McConkey**

Requested: November 5, 2015

Introduced and read first time: January 13, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Firearms – Digital Fingerprint Record – Permit Renewal**

3 FOR the purpose of requiring the Secretary of State Police to take and maintain a set of
4 digital fingerprints for each applicant for a permit to carry, wear, or transport a
5 handgun; specifying that a person who applies for the renewal of a handgun permit
6 is not required to provide a set of fingerprints unless the Secretary expressly
7 determines that an applicant must provide a new set of fingerprints to resolve a
8 question of that applicant's identity; and generally relating to firearms.

9 BY repealing and reenacting, without amendments,
10 Article – Public Safety
11 Section 5–301(a) and (d)
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2015 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Public Safety
16 Section 5–305(c) and 5–309
17 Annotated Code of Maryland
18 (2011 Replacement Volume and 2015 Supplement)

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

21 **Article – Public Safety**

22 5–301.

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

3 5-305.

4 (c) (1) As part of the application for a criminal history records check, the
5 Secretary shall submit to the Central Repository:

6 [(1)] (I) two complete sets of the applicant's legible fingerprints taken on
7 forms approved by the Director of the Central Repository and the Director of the Federal
8 Bureau of Investigation;

9 [(2)] (II) the fee authorized under § 10-221(b)(7) of the Criminal
10 Procedure Article for access to Maryland criminal history records; and

11 [(3)] (III) the mandatory processing fee required by the Federal Bureau of
12 Investigation for a national criminal history records check.

13 (2) **THE SECRETARY SHALL TAKE AND MAINTAIN A SET OF DIGITAL**
14 **FINGERPRINTS FOR EACH APPLICANT DESCRIBED IN PARAGRAPH (1) OF THIS**
15 **SUBSECTION.**

16 5-309.

17 (a) A permit expires on the last day of the holder's birth month following 2 years
18 after the date the permit is issued.

19 (b) A permit may be renewed for successive periods of 3 years each if, at the time
20 of an application for renewal, the applicant possesses the qualifications for the issuance of
21 a permit and pays the renewal fee stated in this subtitle.

22 (c) **A PERSON WHO APPLIES FOR A RENEWAL OF A PERMIT IS NOT**
23 **REQUIRED TO PROVIDE A SET OF FINGERPRINTS BEYOND THE DIGITAL**
24 **FINGERPRINTS REQUIRED IN § 5-305(C) OF THIS SUBTITLE UNLESS THE**
25 **SECRETARY EXPRESSLY DETERMINES THAT AN APPLICANT MUST PROVIDE A NEW**
26 **SET OF FINGERPRINTS TO RESOLVE A QUESTION OF THAT APPLICANT'S IDENTITY.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2016.