

SENATE BILL 1

E1, E4

(3lr0330)

ENROLLED BILL

— Judicial Proceedings/Judiciary —

Introduced by Senators Waldstreicher and Lee, Lee, Augustine, Brooks, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hettleman, Jackson, Kagan, Kelly, King, Lam, Lewis Young, Muse, Rosapepe, Smith, A. Washington, M. Washington, Watson, and Zucker, Zucker, and Beidle

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Wearing, Carrying, or Transporting Firearms – Restrictions**
3 **(Gun Safety Act of 2023)**

4 FOR the purpose of prohibiting a person from knowingly wearing, carrying, or transporting
5 a firearm in certain locations; prohibiting a person from wearing, carrying, or
6 transporting a firearm onto certain property unless the owner or the owner’s agent
7 has given certain permission; altering certain provisions of law relating to the
8 authority of the Secretary of State Police to limit the wearing, carrying, or
9 transporting of a handgun at certain times and locations; ~~onto the real property of~~
10 ~~another unless the other has given certain permission; prohibiting a person from~~
11 ~~knowingly wearing, carrying, or transporting a firearm within a certain distance of~~
12 ~~a certain place of public accommodation prohibiting a person from wearing, carrying,~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



~~or transporting a firearm under certain circumstances and in certain locations; altering the circumstances under which a person is prohibited from possessing a regulated firearm; altering provisions of law relating to obtaining and revoking a permit to wear, carry, or transport a firearm; and generally relating to restrictions on wearing, carrying, or transporting firearms.~~

BY adding to

Article – Criminal Law

Section 4-111 and ~~4-112~~ 6-411

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4-203(b)

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – State Government~~

~~Section 20-301~~

~~Annotated Code of Maryland~~

~~(2021 Replacement Volume and 2022 Supplement)~~

~~BY repealing and reenacting, without amendments,~~

~~Article – Public Safety~~

~~Section 5-301(a), (b), (c), and (c), 5-303, and 5-309~~

~~Annotated Code of Maryland~~

~~(2022 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~

~~Article – Public Safety~~

~~Section 5-306, 5-307, and 5-310 through 5-312~~

~~Annotated Code of Maryland~~

~~(2022 Replacement Volume)~~

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5-307

Annotated Code of Maryland

(2022 Replacement Volume)

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

Article – Criminal Law

1 ~~4-111.~~

2 (A) ~~IN THIS SECTION, "FIREARM" HAS THE MEANING STATED IN § 4-104 OF~~
3 ~~THIS SUBTITLE.~~

4 (B) ~~THIS SECTION DOES NOT APPLY TO:~~

5 (1) ~~THE WEARING, CARRYING, OR TRANSPORTING OF A FIREARM ON~~
6 ~~A PORTION OF REAL PROPERTY SUBJECT TO AN EASEMENT, A RIGHT OF WAY, A~~
7 ~~SERVITUDE, OR ANY OTHER INTEREST THAT ALLOWS PUBLIC ACCESS ON OR~~
8 ~~THROUGH THE REAL PROPERTY;~~

9 (2) ~~THE WEARING, CARRYING, OR TRANSPORTING OF A FIREARM ON~~
10 ~~A PORTION OF REAL PROPERTY SUBJECT TO AN EASEMENT, A RIGHT OF WAY, A~~
11 ~~SERVITUDE, OR ANY OTHER INTEREST ALLOWING ACCESS ON OR THROUGH THE~~
12 ~~REAL PROPERTY BY:~~

13 (I) ~~THE HOLDER OF THE EASEMENT, RIGHT OF WAY,~~
14 ~~SERVITUDE, OR OTHER INTEREST; OR~~

15 (H) ~~A GUEST OR ASSIGNEE OF THE HOLDER OF THE EASEMENT,~~
16 ~~RIGHT OF WAY, SERVITUDE, OR OTHER INTEREST; OR~~

17 (3) ~~PROPERTY OWNED BY THE STATE OR A POLITICAL SUBDIVISION~~
18 ~~OF THE STATE.~~

19 (C) ~~A PERSON MAY NOT KNOWINGLY WEAR, CARRY, OR TRANSPORT A~~
20 ~~FIREARM ONTO THE REAL PROPERTY OF ANOTHER UNLESS THE OTHER HAS GIVEN~~
21 ~~EXPRESS PERMISSION, EITHER TO THE PERSON OR TO THE PUBLIC GENERALLY, TO~~
22 ~~WEAR, CARRY, OR TRANSPORT A FIREARM ON THE REAL PROPERTY.~~

23 (D) ~~A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS GUILTY~~
24 ~~OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT~~
25 ~~EXCEEDING 1 YEAR.~~

26 ~~4-112.~~

27 (A) (1) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
28 ~~INDICATED.~~

29 (2) ~~"FIREARM" HAS THE MEANING STATED IN § 4-104 OF THIS~~
30 ~~SUBTITLE.~~

~~(3) "PLACE OF PUBLIC ACCOMMODATION" HAS THE MEANING STATED IN § 20-301 OF THE STATE GOVERNMENT ARTICLE.~~

~~(B) A PERSON MAY NOT KNOWINGLY WEAR, CARRY, OR TRANSPORT A FIREARM WITHIN 100 FEET OF A PLACE OF PUBLIC ACCOMMODATION.~~

~~(C) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR.~~

~~Article State Government~~

~~20-301.~~

~~In this subtitle, "place of public accommodation" means:~~

~~(1) an inn, hotel, motel, or other establishment that provides lodging to transient guests;~~

~~(2) a restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food or alcoholic beverages for consumption on or off the premises, including a facility located on the premises of a retail establishment or gasoline station;~~

~~(3) a motion picture house, theater, concert hall, sports arena, stadium, or other place of exhibition or entertainment;~~

~~(4) a retail establishment that:~~

~~(i) is operated by a public or private entity; and~~

~~(ii) offers goods, services, entertainment, recreation, or transportation; or~~

~~(5) an establishment:~~

~~(i) 1. that is physically located within the premises of any other establishment covered by this subtitle; or~~

~~2. within the premises of which any other establishment covered by this subtitle is physically located; and~~

~~(ii) that holds itself out as serving patrons of the covered establishment.~~

~~4-111.~~

1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (2) “AREA FOR CHILDREN AND VULNERABLE INDIVIDUALS” MEANS:

4 (I) A PRESCHOOL OR PREKINDERGARTEN FACILITY OR THE
5 GROUNDS OF THE FACILITY;

6 (II) A PRIVATE PRIMARY OR SECONDARY SCHOOL OR THE
7 GROUNDS OF THE SCHOOL; OR

8 (III) ~~A YOUTH CAMP, AS DEFINED IN § 14-401 OF THE HEALTH~~
9 ~~GENERAL ARTICLE;~~

10 (IV) ~~A HEALTH CARE FACILITY, AS DEFINED IN § 15-10B-01 §~~
11 ~~15-10B-01(G)(1), (2), (3), AND (4) OF THE INSURANCE ARTICLE; OR~~

12 (V) ~~A LOCATION THAT IS BEING USED AS A SHELTER FOR~~
13 ~~RUNAWAY YOUTH.~~

14 (3) “FIREARM” HAS THE MEANING STATED IN § 4-104 OF THIS
15 SUBTITLE.

16 (4) “GOVERNMENT OR PUBLIC INFRASTRUCTURE AREA” MEANS:

17 (I) A BUILDING OR ANY PART OF A BUILDING OWNED OR
18 LEASED BY A UNIT OF STATE OR LOCAL GOVERNMENT;

19 (II) A BUILDING OF A PUBLIC OR PRIVATE INSTITUTION OF
20 HIGHER EDUCATION, AS DEFINED IN § 10-101 OF THE EDUCATION ARTICLE;

21 (III) A LOCATION THAT IS CURRENTLY BEING USED AS A POLLING
22 PLACE IN ACCORDANCE WITH TITLE 10 OF THE ELECTION LAW ARTICLE OR FOR
23 CANVASSING BALLOTS IN ACCORDANCE WITH TITLE 11 OF THE ELECTION LAW
24 ARTICLE; OR

25 (IV) AN ELECTRIC PLANT OR ELECTRIC STORAGE FACILITY, AS
26 DEFINED IN § 1-101 OF THE PUBLIC UTILITIES ARTICLE;

27 (V) A GAS PLANT, AS DEFINED IN § 1-101 OF THE PUBLIC
28 UTILITIES ARTICLE; OR

29 (VI) A NUCLEAR POWER PLANT FACILITY.

1 (5) “LAW ENFORCEMENT OFFICIAL” HAS THE MEANING STATED IN §
 2 4-201 OF THIS ARTICLE.

3 (6) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THE
 4 PUBLIC SAFETY ARTICLE.

5 ~~(5) “ORGANIZED SPORTING OR ATHLETIC ACTIVITY” MEANS AN~~
 6 ~~ACTIVITY IN WHICH THREE OR MORE INDIVIDUALS WHO ARE PART OF THE SAME~~
 7 ~~LEAGUE OR ASSOCIATION ARE COMPETING IN A SPORT OR ATHLETIC ACTIVITY~~
 8 ~~TOGETHER AS PART OF THE SAME LEAGUE.~~

9 ~~(6)~~ (7) “ROTC” MEANS RESERVE OFFICER TRAINING CORPS.

10 ~~(7)~~ (8) “SPECIAL PURPOSE AREA” MEANS:

11 (I) A LOCATION LICENSED TO SELL OR DISPENSE ALCOHOL OR
 12 CANNABIS FOR ON-SITE CONSUMPTION;

13 (II) A STADIUM;

14 (III) A MUSEUM;

15 (IV) ~~A LOCATION BEING USED FOR:~~

16 ~~1. AN ORGANIZED SPORTING OR ATHLETIC ACTIVITY;~~

17 ~~2. A LIVE THEATER PERFORMANCE;~~

18 ~~3. A MUSICAL CONCERT OR PERFORMANCE FOR WHICH~~
 19 ~~MEMBERS OF THE AUDIENCE ARE REQUIRED TO PAY OR POSSESS A TICKET TO BE~~
 20 ~~ADMITTED; OR AN AMUSEMENT PARK;~~

21 ~~4. A FAIR OR CARNIVAL;~~

22 (V) A RACETRACK; OR

23 (VI) A VIDEO LOTTERY FACILITY, AS DEFINED IN § 9-1A-01 OF
 24 THE STATE GOVERNMENT ARTICLE; OR

25 ~~(VII) WITHIN 100 YARDS OF A PLACE WHERE A PUBLIC~~
 26 ~~GATHERING, A DEMONSTRATION, OR AN EVENT WHICH REQUIRES A PERMIT FROM~~
 27 ~~THE LOCAL GOVERNING BODY IS BEING HELD, IF SIGNS POSTED BY A LAW~~
 28 ~~ENFORCEMENT AGENCY CONSPICUOUSLY AND REASONABLY INFORM MEMBERS OF~~

~~THE PUBLIC THAT THE WEARING, CARRYING, AND TRANSPORTING OF FIREARMS IS PROHIBITED.~~

(B) THIS SECTION DOES NOT APPLY TO:

~~(1) A LAW ENFORCEMENT OFFICIAL OR A POLICE OFFICER OF THE UNITED STATES, THE STATE, OR A LOCAL LAW ENFORCEMENT AGENCY OF THE STATE;~~

~~(2) AN ON-DUTY EMPLOYEE OF A LAW ENFORCEMENT AGENCY AUTHORIZED BY THE AGENCY TO POSSESS FIREARMS ON DUTY OR WHOSE DUTY ASSIGNMENT INVOLVES THE POSSESSION OF FIREARMS;~~

~~(3) (3) A MEMBER OF THE ARMED FORCES OF THE UNITED STATES, OR THE NATIONAL GUARD, OR THE UNIFORMED SERVICES ON DUTY OR TRAVELING TO OR FROM DUTY;~~

~~(3) (4) A MEMBER OF AN ROTC PROGRAM WHILE PARTICIPATING IN AN ACTIVITY FOR AN ROTC PROGRAM;~~

~~(4) A LAW ENFORCEMENT OFFICIAL OF ANOTHER STATE OR SUBDIVISION OF ANOTHER STATE TEMPORARILY IN THIS STATE ON OFFICIAL BUSINESS;~~

~~(5) A CORRECTIONAL OFFICER OR WARDEN OF A CORRECTIONAL FACILITY IN THE STATE;~~

~~(6) A SHERIFF OR FULL-TIME ASSISTANT OR DEPUTY SHERIFF OF THE STATE;~~

~~(6) A RAILROAD POLICE OFFICER APPOINTED UNDER TITLE 3, SUBTITLE 4 OF THE PUBLIC SAFETY ARTICLE;~~

~~(7) AN EMPLOYEE OF AN ARMORED CAR COMPANY, IF THE PERSON IS ACTING WITHIN THE SCOPE OF EMPLOYMENT AND HAS A VALID PERMIT TO WEAR, CARRY, OR TRANSPORT A HANDGUN ISSUED UNDER TITLE 5, SUBTITLE 3 OF THE PUBLIC SAFETY ARTICLE;~~

~~(7) (8) SUBJECT TO SUBSECTION (I) OF THIS SECTION, AN OFF-DUTY LAW ENFORCEMENT OFFICIAL OR A PERSON WHO HAS RETIRED AS A LAW ENFORCEMENT OFFICIAL IN GOOD STANDING FROM A LAW ENFORCEMENT AGENCY OF THE UNITED STATES, THE STATE OR ANOTHER STATE, OR A LOCAL UNIT IN THE STATE OR ANOTHER STATE, WHO POSSESSES A FIREARM, IF:~~

1 (I) 1. THE ~~OFFICIAL OR~~ PERSON IS ~~DISPLAYING~~ CARRYING
 2 THE ~~OFFICIAL'S OR~~ PERSON'S BADGE OR CREDENTIAL IN COMPLIANCE WITH THE
 3 REQUIREMENTS OF THE BADGE OR CREDENTIAL;

4 2. THE FIREARM CARRIED OR POSSESSED BY THE
 5 ~~OFFICIAL OR~~ PERSON IS CONCEALED FROM VIEW UNDER OR WITHIN AN ARTICLE OF
 6 THE ~~OFFICIAL'S OR~~ PERSON'S CLOTHING; AND

7 3. THE ~~OFFICIAL OR~~ PERSON IS AUTHORIZED TO CARRY
 8 A HANDGUN UNDER THE LAWS OF THE STATE OR THE UNITED STATES; OR

9 (II) 1. THE ~~OFFICIAL OR~~ PERSON POSSESSES A VALID
 10 PERMIT TO WEAR, CARRY, OR TRANSPORT A HANDGUN ISSUED UNDER TITLE 5,
 11 SUBTITLE 3 OF THE PUBLIC SAFETY ARTICLE; AND

12 2. THE FIREARM CARRIED OR POSSESSED BY THE
 13 ~~OFFICIAL OR~~ PERSON IS CONCEALED FROM VIEW UNDER OR WITHIN AN ARTICLE OF
 14 THE ~~OFFICIAL'S OR~~ PERSON'S CLOTHING;

15 ~~(8) (9)~~ FOR A LOCATION THAT IS NOT OWNED BY, LEASED BY, OR
 16 OTHERWISE UNDER THE CONTROL OF THE STATE OR A POLITICAL SUBDIVISION OF
 17 THE STATE:

18 (I) THE OWNER OR LESSEE OF THE LOCATION; OR

19 (II) A PERSON WHO IS AUTHORIZED BY THE OWNER OR LESSEE
 20 OF THE LOCATION TO WEAR, CARRY, OR TRANSPORT A FIREARM AT THE LOCATION
 21 FOR THE PURPOSE OF:

22 1. EMPLOYMENT AS A SECURITY GUARD LICENSED
 23 UNDER TITLE 19 OF THE BUSINESS OCCUPATIONS ARTICLE; OR

24 2. PROTECTING ANY INDIVIDUAL OR PROPERTY AT THE
 25 LOCATION ~~WITHOUT~~ WITH AN EXPRESS AGREEMENT BETWEEN THE PARTIES,
 26 REMUNERATION, OR COMPENSATION; ~~OR~~

27 ~~(9) (10)~~ A LOCATION BEING USED WITH THE PERMISSION OF THE
 28 PERSON OR GOVERNMENTAL UNIT THAT OWNS, LEASES, OR CONTROLS THE
 29 LOCATION FOR:

30 (I) AN ORGANIZED SHOOTING ACTIVITY FOR EDUCATIONAL
 31 PURPOSES;

32 (II) A HISTORICAL DEMONSTRATION USING A FIREARM; OR

1 (III) HUNTING OR TARGET SHOOTING; OR

2 (11) A FIREARM THAT IS CARRIED OR TRANSPORTED IN A MOTOR
3 VEHICLE IF THE FIREARM IS:

4 (I) LOCKED IN A CONTAINER; OR

5 (II) A HANDGUN WORN, CARRIED, OR TRANSPORTED IN
6 COMPLIANCE WITH ANY LIMITATIONS IMPOSED UNDER § 5-307 OF THE PUBLIC
7 SAFETY ARTICLE, BY A PERSON TO WHOM A PERMIT TO WEAR, CARRY, OR TRANSPORT
8 THE HANDGUN HAS BEEN ISSUED UNDER TITLE 5, SUBTITLE 3 OF THE PUBLIC
9 SAFETY ARTICLE; OR

10 ~~(10) A FIREARM THAT IS CARRIED OR TRANSPORTED IN A MOTOR~~
11 ~~VEHICLE IF THE FIREARM IS:~~

12 ~~(I) UNLOADED; AND~~

13 ~~(II) LOCKED IN A CONTAINER THAT IS SEPARATE FROM ANY~~
14 ~~AMMUNITION THAT IS SUITABLE FOR USE IN THE FIREARM.~~

15 (C) A PERSON MAY NOT WEAR, CARRY, OR TRANSPORT A FIREARM IN AN
16 AREA FOR CHILDREN OR VULNERABLE INDIVIDUALS.

17 ~~(D)~~ (D) (1) A PERSON MAY NOT WEAR, CARRY, OR TRANSPORT A
18 FIREARM IN A GOVERNMENT OR PUBLIC INFRASTRUCTURE AREA.

19 (2) A GOVERNMENT OR PUBLIC INFRASTRUCTURE AREA SPECIFIED
20 UNDER SUBSECTION (A)(4)(I) OF THIS SECTION MUST DISPLAY A CLEAR AND
21 CONSPICUOUS SIGN AT THE MAIN ENTRANCE OF THE BUILDING OR THE PART OF A
22 BUILDING THAT IS OWNED OR LEASED BY THE UNIT OF STATE OR LOCAL
23 GOVERNMENT INDICATING THAT IT IS NOT PERMISSIBLE TO WEAR, CARRY, OR
24 TRANSPORT A FIREARM IN THE BUILDING OR THAT PART OF THE BUILDING.

25 (E) ~~(1) THIS SUBSECTION DOES NOT APPLY TO AN ORGANIZED SPORTING~~
26 ~~OR ATHLETIC ACTIVITY FOR WHICH THE WEARING, CARRYING, TRANSPORTING, OR~~
27 ~~USE OF A FIREARM IS A CUSTOMARY PART OF THE SPORT OR ATHLETIC ACTIVITY.~~

28 ~~(2)~~ (2) A PERSON MAY NOT WEAR, CARRY, OR TRANSPORT A FIREARM IN
29 A SPECIAL PURPOSE AREA.

30 ~~(F) A PERSON MAY NOT VIOLATE SUBSECTION (C), (D), OR (E) OF THIS~~
31 ~~SECTION WITH INTENT TO CAUSE DEATH OR INJURY TO ANOTHER.~~

1 ~~(C)~~ ~~(1)~~ ~~(F)~~ A PERSON WHO WILLFULLY VIOLATES SUBSECTION (C), ~~(D)~~
 2 ~~(D)(1), OR (E) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION~~
 3 IS SUBJECT TO:

4 ~~(I)~~ ~~FOR A FIRST CONVICTION, IMPRISONMENT NOT EXCEEDING~~
 5 ~~90 DAYS 1 YEAR OR A FINE NOT EXCEEDING \$3,000 \$1,000 OR BOTH; AND~~

6 ~~(H)~~ ~~FOR A SECOND OR SUBSEQUENT CONVICTION,~~
 7 ~~IMPRISONMENT NOT EXCEEDING 15 MONTHS OR A FINE NOT EXCEEDING \$7,500 OR~~
 8 ~~BOTH.~~

9 ~~(2)~~ ~~A PERSON WHO VIOLATES SUBSECTION (F) OF THIS SECTION IS~~
 10 ~~GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT~~
 11 ~~NOT EXCEEDING 15 MONTHS OR A FINE NOT EXCEEDING \$7,500 OR BOTH.~~

12 ~~(H)~~ ~~(G)~~ ~~(1)~~ A CONVICTION UNDER THIS SECTION MAY NOT MERGE WITH
 13 A CONVICTION FOR ANY OTHER CRIME BASED ON THE ACT ESTABLISHING THE
 14 VIOLATION OF THIS SECTION.

15 ~~(2)~~ A SENTENCE IMPOSED UNDER THIS SECTION MAY BE IMPOSED
 16 SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR
 17 ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.

18 ~~(H)~~ ~~(H)~~ FOR PURPOSES OF THIS SECTION, A REQUIREMENT TO KEEP A
 19 HANDGUN CONCEALED IS NOT VIOLATED BY:

20 ~~(1)~~ THE MOMENTARY AND INADVERTENT EXPOSURE OF A HANDGUN;
 21 OR

22 ~~(2)~~ THE MOMENTARY AND INADVERTENT EXPOSURE OF THE IMPRINT
 23 OR OUTLINE OF A HANDGUN.

24 ~~(I)~~ NOTHING IN THIS SECTION LIMITS THE POWER OF AN ADMINISTRATIVE
 25 HEAD OF A MARYLAND COURT TO PUNISH FOR CONTEMPT OR TO ADOPT RULES OR
 26 ORDERS REGULATING, ALLOWING, RESTRICTING, OR PROHIBITING THE POSSESSION
 27 OF WEAPONS IN ANY BUILDING HOUSING THE COURT OR ANY OF ITS PROCEEDINGS,
 28 OR ON ANY GROUNDS APPURTENANT TO THE BUILDING.

29 4-203.

30 (b) This section does not prohibit:

1 (1) the wearing, carrying, or transporting of a handgun by a person who is
2 authorized at the time and under the circumstances to wear, carry, or transport the handgun
3 as part of the person's official equipment, and is:

4 (i) a law enforcement official of the United States, the State, or a
5 county or city of the State;

6 (ii) a member of the armed forces of the United States or of the
7 National Guard on duty or traveling to or from duty;

8 (iii) a law enforcement official of another state or subdivision of
9 another state temporarily in this State on official business;

10 (iv) a correctional officer or warden of a correctional facility in the
11 State;

12 (v) a sheriff or full-time assistant or deputy sheriff of the State; or

13 (vi) a temporary or part-time sheriff's deputy;

14 (2) the wearing, carrying, or transporting of a handgun[, in compliance
15 with any limitations imposed under § 5-307 of the Public Safety Article.] by a person to
16 whom a permit to wear, carry, or transport the handgun has been issued under Title 5,
17 Subtitle 3 of the Public Safety Article;

18 (3) the carrying of a handgun on the person or in a vehicle while the person
19 is transporting the handgun to or from the place of legal purchase or sale, or to or from a
20 bona fide repair shop, or between bona fide residences of the person, or between the bona fide
21 residence and place of business of the person, if the business is operated and owned
22 substantially by the person if each handgun is unloaded and carried in an enclosed case or
23 an enclosed holster;

24 (4) the wearing, carrying, or transporting by a person of a handgun used in
25 connection with an organized military activity, a target shoot, formal or informal target
26 practice, sport shooting event, hunting, a Department of Natural Resources-sponsored
27 firearms and hunter safety class, trapping, or a dog obedience training class or show, while
28 the person is engaged in, on the way to, or returning from that activity if each handgun is
29 unloaded and carried in an enclosed case or an enclosed holster;

30 (5) the moving by a bona fide gun collector of part or all of the collector's
31 gun collection from place to place for public or private exhibition if each handgun is
32 unloaded and carried in an enclosed case or an enclosed holster;

33 (6) the wearing, carrying, or transporting of a handgun by a person on real
34 estate that the person owns or leases or where the person resides or within the confines of a
35 business establishment that the person owns or leases;

1 (7) the wearing, carrying, or transporting of a handgun by a supervisory
2 employee:

3 (i) in the course of employment;

4 (ii) within the confines of the business establishment in which the
5 supervisory employee is employed; and

6 (iii) when so authorized by the owner or manager of the business
7 establishment;

8 (8) the carrying or transporting of a signal pistol or other visual distress
9 signal approved by the United States Coast Guard in a vessel on the waterways of the State
10 or, if the signal pistol or other visual distress signal is unloaded and carried in an enclosed
11 case, in a vehicle; or

12 (9) the wearing, carrying, or transporting of a handgun by a person who is
13 carrying a court order requiring the surrender of the handgun, if:

14 (i) the handgun is unloaded;

15 (ii) the person has notified the law enforcement unit, barracks, or
16 station that the handgun is being transported in accordance with the court order; and

17 (iii) the person transports the handgun directly to the law enforcement
18 unit, barracks, or station.

19 **6-411.**

20 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
21 **INDICATED.**

22 **(2) (I) “DWELLING” MEANS A BUILDING OR PART OF A BUILDING**
23 **THAT PROVIDES LIVING OR SLEEPING FACILITIES FOR ONE OR MORE INDIVIDUALS.**

24 **(II) “DWELLING” DOES NOT INCLUDE:**

25 **1. COMMON ELEMENTS OF A CONDOMINIUM, AS**
26 **DEFINED IN § 11-101 OF THE REAL PROPERTY ARTICLE;**

27 **2. PROPERTY OF A COOPERATIVE HOUSING**
28 **CORPORATION OTHER THAN A UNIT AS DEFINED IN § 5-6B-01 OF THE**
29 **CORPORATIONS AND ASSOCIATIONS ARTICLE; OR**

30 **3. COMMON AREAS OF A MULTIFAMILY DWELLING AS**
31 **DEFINED IN § 12-203 OF THE PUBLIC SAFETY ARTICLE.**

1 (3) “FIREARM” HAS THE MEANING STATED IN § 4-104 OF THIS
2 ARTICLE.

3 (4) “LAW ENFORCEMENT OFFICIAL” HAS THE MEANING STATED IN §
4 4-201 OF THIS ARTICLE.

5 (5) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THE
6 PUBLIC SAFETY ARTICLE.

7 (6) (I) “PROPERTY” MEANS A BUILDING.

8 (II) “PROPERTY” DOES NOT INCLUDE THE LAND ADJACENT TO A
9 BUILDING.

10 (B) THIS SECTION DOES NOT APPLY TO:

11 (1) A LAW ENFORCEMENT OFFICIAL OR POLICE OFFICER ~~OF THE~~
12 ~~UNITED STATES, THE STATE, OR A LOCAL LAW ENFORCEMENT AGENCY OF THE~~
13 ~~STATE;~~

14 (2) AN ON-DUTY EMPLOYEE OF A LAW ENFORCEMENT AGENCY
15 AUTHORIZED BY THE AGENCY TO POSSESS FIREARMS ON DUTY OR WHOSE DUTY
16 ASSIGNMENT INVOLVES THE POSSESSION OF FIREARMS;

17 ~~(2)~~ (3) A MEMBER OF THE ARMED FORCES OF THE UNITED STATES,
18 ~~OR OF THE NATIONAL GUARD, OR THE UNIFORMED SERVICES~~ ON DUTY OR
19 TRAVELING TO OR FROM DUTY;

20 ~~(3)~~ A LAW ENFORCEMENT OFFICIAL OF ANOTHER STATE OR
21 ~~SUBDIVISION OF ANOTHER STATE TEMPORARILY IN THIS STATE ON OFFICIAL~~
22 ~~BUSINESS;~~

23 (4) A CORRECTIONAL OFFICER OR WARDEN OF A CORRECTIONAL
24 FACILITY IN THE STATE;

25 ~~(5)~~ A SHERIFF OR FULL-TIME ASSISTANT OR DEPUTY SHERIFF OF THE
26 STATE;

27 ~~(6)~~ (5) THE WEARING, CARRYING, OR TRANSPORTING OF A
28 FIREARM ON A PORTION OF REAL PROPERTY SUBJECT TO AN EASEMENT, A
29 RIGHT-OF-WAY, A SERVITUDE, OR ANY OTHER PROPERTY INTEREST THAT ALLOWS
30 PUBLIC ACCESS ON OR THROUGH THE REAL PROPERTY; OR

1 ~~(7)~~ (6) THE WEARING, CARRYING, OR TRANSPORTING OF A
 2 FIREARM ON A PORTION OF REAL PROPERTY SUBJECT TO AN EASEMENT, A
 3 RIGHT-OF-WAY, A SERVITUDE, OR ANY OTHER PROPERTY INTEREST ALLOWING
 4 ACCESS ON OR THROUGH THE REAL PROPERTY BY:

5 (I) THE HOLDER OF THE EASEMENT, RIGHT-OF-WAY,
 6 SERVITUDE, OR OTHER PROPERTY INTEREST; OR

7 (II) A GUEST OR ASSIGNEE OF THE HOLDER OF THE EASEMENT,
 8 RIGHT-OF-WAY, SERVITUDE, OR OTHER PROPERTY INTEREST.

9 (C) A PERSON WEARING, CARRYING, OR TRANSPORTING A FIREARM MAY
 10 NOT ENTER OR TRESPASS IN THE DWELLING OF ANOTHER UNLESS THE OWNER OR
 11 THE OWNER'S AGENT HAS GIVEN EXPRESS PERMISSION, EITHER TO THE PERSON OR
 12 TO THE PUBLIC GENERALLY, TO WEAR, CARRY, OR TRANSPORT A FIREARM INSIDE
 13 THE DWELLING.

14 (D) A PERSON WEARING, CARRYING, OR TRANSPORTING A FIREARM MAY
 15 NOT:

16 (1) ENTER OR TRESPASS ON PROPERTY THAT IS POSTED
 17 CONSPICUOUSLY AGAINST WEARING, CARRYING, OR TRANSPORTING A FIREARM ON
 18 THE PROPERTY; UNLESS THE OWNER OR THE OWNER'S AGENT HAS POSTED A CLEAR
 19 AND CONSPICUOUS SIGN INDICATING THAT IT IS PERMISSIBLE TO WEAR, CARRY, OR
 20 TRANSPORT A FIREARM ON THE PROPERTY; OR

21 (2) ENTER OR TRESPASS ON PROPERTY AFTER HAVING BEEN
 22 NOTIFIED BY THE OWNER OR THE OWNER'S AGENT THAT THE PERSON MAY NOT
 23 UNLESS THE OWNER OR THE OWNER'S AGENT HAS GIVEN THE PERSON EXPRESS
 24 PERMISSION TO WEAR, CARRY, OR TRANSPORT A FIREARM ON THE PROPERTY; OR.

25 (3) ENTER OR TRESPASS IN THE DWELLING OF ANOTHER UNLESS THE
 26 OTHER HAS GIVEN EXPRESS PERMISSION, EITHER TO THE PERSON OR TO THE
 27 PUBLIC GENERALLY, TO WEAR, CARRY, OR TRANSPORT A FIREARM INSIDE THE
 28 DWELLING.

29 ~~(D)~~ (E) A PERSON WHO WILLFULLY VIOLATES THIS SECTION IS GUILTY OF
 30 A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

31 (1) FOR A FIRST CONVICTION, IMPRISONMENT NOT EXCEEDING 90
 32 DAYS 1 YEAR OR A FINE NOT EXCEEDING \$500 \$1,000 OR BOTH;

~~(2) FOR A SECOND CONVICTION OCCURRING WITHIN 2 YEARS AFTER THE FIRST CONVICTION, IMPRISONMENT NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$1,000 OR BOTH; AND~~

~~(3) FOR EACH SUBSEQUENT CONVICTION OCCURRING WITHIN 2 YEARS AFTER THE PRECEDING CONVICTION, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$2,500 OR BOTH.~~

(F) (1) A CONVICTION UNDER THIS SECTION MAY NOT MERGE WITH A CONVICTION FOR ANY OTHER CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.

(2) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE IMPOSED SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.

Article - Public Safety

5-307.

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

(B) (1) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A PERMIT ISSUED UNDER THIS SUBTITLE SHALL RESTRICT THE WEARING, CARRYING, AND TRANSPORTING OF A HANDGUN BY THE PERSON TO WHOM THE PERMIT IS ISSUED TO WEARING, CARRYING, OR TRANSPORTING A HANDGUN CONCEALED FROM VIEW:

(I) UNDER OR WITHIN AN ARTICLE OF THE PERSON'S CLOTHING; OR

(II) WITHIN AN ENCLOSED CASE.

(2) THE REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION TO KEEP A HANDGUN CONCEALED IS NOT VIOLATED BY:

(I) THE MOMENTARY AND INADVERTENT EXPOSURE OF A HANDGUN; OR

(II) THE MOMENTARY AND INADVERTENT EXPOSURE OF THE IMPRINT OR OUTLINE OF A HANDGUN.

(C) A PERSON IS NOT SUBJECT TO THE REQUIREMENT IN SUBSECTION (B) OF THIS SECTION TO KEEP A HANDGUN CONCEALED IF THE PERSON IS AUTHORIZED

1 AT THE TIME AND UNDER THE CIRCUMSTANCES TO WEAR, CARRY, OR TRANSPORT
 2 THE HANDGUN AS PART OF THE PERSON'S OFFICIAL EQUIPMENT, AND IS:

3 (1) A PERSON EXEMPTED UNDER § 4-203(B)(1) OF THE CRIMINAL
 4 LAW ARTICLE;

5 (2) A SECURITY GUARD LICENSED UNDER TITLE 19 OF THE BUSINESS
 6 OCCUPATIONS ARTICLE ACTING WITHIN THE SCOPE OF EMPLOYMENT;

7 (3) A CORRECTIONAL OFFICER OR WARDEN OF A CORRECTIONAL
 8 FACILITY IN THE STATE ACTING WITHIN THE SCOPE OF EMPLOYMENT;

9 (4) A RAILROAD POLICE OFFICER APPOINTED UNDER TITLE 3,
 10 SUBTITLE 4 OF THIS ARTICLE ACTING WITHIN THE SCOPE OF EMPLOYMENT; OR

11 (5) AN EMPLOYEE OF AN ARMORED CAR COMPANY ACTING WITHIN THE
 12 SCOPE OF EMPLOYMENT.

13 [(b) The Secretary may limit the geographic area, circumstances, or times of the
 14 day, week, month, or year in which a permit is effective.]

15 ~~5-301.~~

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

17 ~~(b) "Handgun" has the meaning stated in § 4-201 of the Criminal Law Article.~~

18 ~~(c) "Permit" means a permit issued by the Secretary to carry, wear, or transport~~
 19 ~~a handgun.~~

20 ~~(e) "Secretary" means the Secretary of State Police or the Secretary's designee.~~

21 ~~5-303.~~

22 ~~A person shall have a permit issued under this subtitle before the person carries,~~
 23 ~~wears, or transports a handgun.~~

24 ~~5-307.~~

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

27 ~~(b) (1) A PERMIT ISSUED UNDER THIS SUBTITLE SHALL RESTRICT THE~~
 28 ~~WEARING, CARRYING, AND TRANSPORTING OF A HANDGUN BY THE PERSON TO~~

~~WHOM THE PERMIT IS ISSUED TO WEARING, CARRYING, OR TRANSPORTING A
HANDGUN CONCEALED FROM VIEW;~~

~~(1) (I) UNDER OR WITHIN AN ARTICLE OF THE PERSON'S
CLOTHING; OR~~

~~(2) (II) WITHIN AN ENCLOSED CASE.~~

~~(2) THE REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION TO
KEEP A HANDGUN CONCEALED IS NOT VIOLATED BY:~~

~~(I) THE MOMENTARY AND INADVERTENT EXPOSURE OF A
HANDGUN; OR~~

~~(II) THE MOMENTARY AND INADVERTENT EXPOSURE OF THE
IMPRINT OR OUTLINE OF A HANDGUN.~~

~~(C) The Secretary may limit the geographic area, circumstances, or times of the
day, week, month, or year in which a permit is effective.~~

~~5-309.~~

~~(a) Except as provided in subsection (d) of this section, a permit expires on the
last day of the holder's birth month following 2 years after the date the permit is issued.~~

~~(b) Subject to subsection (c) of this section, a permit may be renewed for
successive periods of 3 years each if, at the time of an application for renewal, the applicant
possesses the qualifications for the issuance of a permit and pays the renewal fee stated in
this subtitle.~~

~~(c) A person who applies for a renewal of a permit is not required to be
fingerprinted unless the Secretary requires a set of the person's fingerprints to resolve a
question of the person's identity.~~

~~(d) The Secretary may establish an alternative expiration date for a permit to
coincide with the expiration of a license, certification, or commission for:~~

~~(1) a private detective under Title 13 of the Business Occupations and
Professions Article;~~

~~(2) a security guard under Title 19 of the Business Occupations and
Professions Article; or~~

~~(3) a special police officer under § 3-306 of this article.~~

~~5-310.~~

1 ~~(a) The Secretary [may revoke a permit on a finding that the holder] SHALL:~~

2 ~~(1) REVOKE A PERMIT ON A FINDING THAT THE HOLDER does not meet~~
3 ~~the qualifications described in § 5-306 of this subtitle; [or] AND~~

4 ~~(2) REGULARLY REVIEW INFORMATION REGARDING ACTIVE PERMIT~~
5 ~~HOLDERS USING THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL~~
6 ~~REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL~~
7 ~~SERVICES TO DETERMINE WHETHER ALL PERMIT HOLDERS CONTINUE TO MEET THE~~
8 ~~QUALIFICATIONS DESCRIBED IN § 5-306 OF THIS SUBTITLE.~~

9 ~~(b) THE SECRETARY MAY REVOKE A PERMIT ON A FINDING THAT THE~~
10 ~~HOLDER violated § 5-308 of this subtitle.~~

11 ~~(c) IF THE SECRETARY REVOKES A PERMIT UNDER THIS SECTION FROM A~~
12 ~~PERSON THE SECRETARY DETERMINES IS PROHIBITED FROM POSSESSING A~~
13 ~~REGULATED FIREARM UNDER § 5-133 OF THIS TITLE, THE SECRETARY SHALL TAKE~~
14 ~~REASONABLE STEPS TO ENSURE THE SURRENDER OF ANY REGULATED FIREARMS IN~~
15 ~~THE PERSON'S POSSESSION.~~

16 ~~[(b)] (d) A holder of a permit that is revoked by the Secretary shall return the~~
17 ~~permit to the Secretary within 10 days after receipt of written notice of the revocation.~~

18 ~~5-311.~~

19 ~~(A) IF THE SECRETARY DENIES A PERMIT OR RENEWAL OF A PERMIT OR~~
20 ~~REVOKES OR LIMITS A PERMIT, THE SECRETARY SHALL PROVIDE WRITTEN NOTICE~~
21 ~~OF THAT INITIAL ACTION TO THE APPLICANT, INCLUDING A DETAILED EXPLANATION~~
22 ~~OF THE REASON OR REASONS FOR THE INITIAL ACTION.~~

23 ~~[(a)] (B) A person who is denied a permit or renewal of a permit or whose permit~~
24 ~~is revoked or limited may request the Secretary to conduct an informal review by filing a~~
25 ~~written request within 10 days after receipt of THE written notice of the Secretary's initial~~
26 ~~action UNDER SUBSECTION (A) OF THIS SECTION.~~

27 ~~[(b)] (C) An informal review:~~

28 ~~(1) may include a personal interview of the person who requested the~~
29 ~~informal review; and~~

30 ~~(2) is not subject to Title 10, Subtitle 2 of the State Government Article.~~

1 ~~[(c)] (D) (1) In an informal review, the Secretary shall sustain, reverse, or~~
2 ~~modify the initial action taken and notify the person who requested the informal review of~~
3 ~~the decision in writing within 30 days after receipt of the request for informal review.~~

4 ~~(2) THE WRITTEN NOTICE OF THE RESULTS OF THE SECRETARY'S~~
5 ~~INFORMAL REVIEW UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A~~
6 ~~DETAILED EXPLANATION OF THE REASON OR REASONS FOR THE SECRETARY'S~~
7 ~~DECISION TO SUSTAIN, REVERSE, OR MODIFY THE INITIAL ACTION.~~

8 ~~[(d)] (E) A person need not file a request for an informal review under this~~
9 ~~section before requesting review under § 5-312 of this subtitle.~~

10 ~~5-312.~~

11 ~~(a) (1) A person who is denied a permit or renewal of a permit or whose permit~~
12 ~~is revoked or limited may request to appeal the decision of the Secretary to the Office of~~
13 ~~Administrative Hearings by filing a written request with the Secretary and the Office of~~
14 ~~Administrative Hearings within 10 days after receipt of written notice of the Secretary's~~
15 ~~final action.~~

16 ~~(2) A person whose application for a permit or renewal of a permit is not~~
17 ~~acted on by the Secretary within 90 days after submitting the application to the Secretary~~
18 ~~may request a hearing before the Office of Administrative Hearings by filing a written~~
19 ~~request with the Secretary and the Office of Administrative Hearings.~~

20 ~~(b) (1) Within 60 days after the receipt of a request under subsection (a) of this~~
21 ~~section from the applicant or the holder of the permit, the Office of Administrative Hearings~~
22 ~~shall schedule and conduct a de novo hearing on the matter, at which witness testimony~~
23 ~~and other evidence may be provided.~~

24 ~~(2) Within 90 days after the conclusion of the last hearing on the matter,~~
25 ~~the Office of Administrative Hearings shall issue a WRITTEN finding of facts and a decision.~~

26 ~~(3) A party that is aggrieved by the decision of the Office of Administrative~~
27 ~~Hearings may appeal the decision to the circuit court.~~

28 ~~(e) (1) Subject to subsection (b) of this section, any hearing and any~~
29 ~~subsequent proceedings of judicial review shall be conducted in accordance with Title 10,~~
30 ~~Subtitle 2 of the State Government Article.~~

31 ~~(2) Notwithstanding paragraph (1) of this subsection, a court may not order~~
32 ~~the issuance or renewal of a permit or alter a limitation on a permit pending a final~~
33 ~~determination of the proceeding.~~

34 ~~(d) (1) On or before [January 1, 2019, 2020, 2021, and 2022.] JANUARY 1~~
35 ~~EACH YEAR, the SECRETARY SHALL REPORT TO THE GOVERNOR AND, IN~~

~~1 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL
2 ASSEMBLY THE FOLLOWING INFORMATION DISAGGREGATED BY AN APPLICANT'S
3 COUNTY OF RESIDENCE, RACE, ETHNICITY, AGE, AND GENDER:~~

~~4 (I) THE TOTAL NUMBER OF PERMIT APPLICATIONS MADE
5 UNDER § 5-304 OF THIS SUBTITLE WITHIN THE PREVIOUS YEAR;~~

~~6 (II) THE TOTAL NUMBER OF PERMIT APPLICATIONS THAT THE
7 SECRETARY GRANTED IN THE PREVIOUS YEAR;~~

~~8 (III) THE TOTAL NUMBER OF PERMIT APPLICATIONS THAT THE
9 SECRETARY DENIED IN THE PREVIOUS YEAR;~~

~~10 (IV) THE TOTAL NUMBER OF PERMITS THAT WERE REVOKED IN
11 THE PREVIOUS YEAR; AND~~

~~12 (V) THE TOTAL NUMBER OF PERMITS THAT ARE PENDING
13 BEFORE THE SECRETARY.~~

~~14 (2) ON OR BEFORE JANUARY 1 EACH YEAR, THE Office of
15 Administrative Hearings shall report to the Governor and, in accordance with § 2-1257 of
16 the State Government Article, the General Assembly THE FOLLOWING INFORMATION
17 DISAGGREGATED BY AN APPLICANT'S COUNTY OF RESIDENCE, RACE, ETHNICITY,
18 AGE, AND GENDER:~~

~~19 [(1)] (I) the number of appeals of decisions by the Secretary that have
20 been filed with the Office of Administrative Hearings within the previous year;~~

~~21 [(2)] (II) the number of decisions by the Secretary that have been
22 sustained, modified, or reversed by the Office of Administrative Hearings within the
23 previous year;~~

~~24 [(3)] (III) the number of appeals that are pending; and~~

~~25 [(4)] (IV) the number of appeals that have been withdrawn within the
26 previous year.~~

~~27 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
28 as follows:~~

~~29 Article — Public Safety~~

~~30 5-306.~~

1 ~~(a) Subject to [subsection] SUBSECTIONS (c) AND (D) of this section, the~~
2 ~~Secretary shall issue a permit within a reasonable time to a person who the Secretary finds:~~

3 ~~(1) (I) is [an adult] AT LEAST 21 YEARS OLD; OR~~

4 ~~(II) IS AN ADULT WHO:~~

5 ~~1. IS A MEMBER OF THE ARMED FORCES OF THE UNITED~~
6 ~~STATES OR THE NATIONAL GUARD; OR~~

7 ~~2. IS REQUIRED TO WEAR, CARRY, OR TRANSPORT A~~
8 ~~HANDGUN IN THE REGULAR COURSE OF THE PERSON'S EMPLOYMENT;~~

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

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

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

15 ~~(4) is not presently an alcoholic, addict, or habitual user of a controlled~~
16 ~~dangerous substance unless the habitual use of the controlled dangerous substance is under~~
17 ~~legitimate medical direction;~~

18 ~~(5) DOES NOT SUFFER FROM A MENTAL DISORDER AS DEFINED IN §~~
19 ~~10-101(i)(2) OF THE HEALTH - GENERAL ARTICLE AND HAVE A HISTORY OF~~
20 ~~VIOLENT BEHAVIOR AGAINST THE PERSON OR ANOTHER;~~

21 ~~(6) IS NOT A RESPONDENT AGAINST WHOM:~~

22 ~~(I) A CURRENT NON EX PARTE CIVIL PROTECTIVE ORDER HAS~~
23 ~~BEEN ENTERED UNDER § 4-506 OF THE FAMILY LAW ARTICLE;~~

24 ~~(II) A CURRENT EXTREME RISK PROTECTIVE ORDER HAS BEEN~~
25 ~~ENTERED UNDER § 5-601 OF THIS TITLE; OR~~

26 ~~(III) ANY OTHER TYPE OF CURRENT COURT ORDER HAS BEEN~~
27 ~~ENTERED PROHIBITING THE PERSON FROM PURCHASING OR POSSESSING~~
28 ~~FIREARMS;~~

29 ~~[(5)] (7) except as provided in subsection (b) of this section, has~~
30 ~~successfully completed prior to application and each renewal, a firearms training course~~
31 ~~approved by the Secretary that includes:~~

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

3 ~~2. for a renewal application, 8 hours of instruction by a~~
 4 ~~qualified handgun instructor;~~

5 ~~(ii) classroom instruction on:~~

6 ~~1. State firearm law;~~

7 ~~2. home firearm safety; and~~

8 ~~3. handgun mechanisms and operation; and~~

9 ~~(iii) a firearms qualification component that demonstrates the~~
 10 ~~applicant's proficiency and use of the firearm;] MEETS THE MINIMUM CRITERIA~~
 11 ~~SPECIFIED IN SUBSECTION (A-1) OF THIS SECTION; and~~

12 ~~[(C) (8) based on an investigation;~~

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

16 ~~(ii) [has good and substantial reason to wear, carry, or transport a~~
 17 ~~handgun, such as a finding that the permit is necessary as a reasonable precaution against~~
 18 ~~apprehended danger] IS NOT PROHIBITED BY STATE OR FEDERAL LAW FROM~~
 19 ~~PURCHASING OR POSSESSING A HANDGUN;~~

20 ~~(A-1) THE FIREARMS TRAINING COURSE REQUIRED UNDER SUBSECTION (A)~~
 21 ~~OF THIS SECTION SHALL INCLUDE:~~

22 ~~(1) (i) FOR AN INITIAL APPLICATION, A MINIMUM OF 16 HOURS OF~~
 23 ~~INSTRUCTION BY A QUALIFIED HANDGUN INSTRUCTOR; OR~~

24 ~~(ii) FOR A RENEWAL APPLICATION, 8 HOURS OF INSTRUCTION~~
 25 ~~BY A QUALIFIED HANDGUN INSTRUCTOR;~~

26 ~~(2) CLASSROOM INSTRUCTION ON:~~

27 ~~(i) STATE AND FEDERAL FIREARM LAWS, INCLUDING LAWS~~
 28 ~~RELATING TO:~~

29 ~~1. SELF-DEFENSE;~~

1 ~~2. DEFENSE OF OTHERS;~~

2 ~~3. DEFENSE OF PROPERTY;~~

3 ~~4. THE SAFE STORAGE OF FIREARMS;~~

4 ~~5. THE CIRCUMSTANCES UNDER WHICH AN INDIVIDUAL~~
5 ~~BECOMES PROHIBITED FROM POSSESSING A FIREARM UNDER STATE AND FEDERAL~~
6 ~~LAW, INCLUDING BECOMING A RESPONDENT AGAINST WHOM;~~

7 ~~A. A CURRENT NON EX PARTE CIVIL PROTECTIVE ORDER~~
8 ~~HAS BEEN ENTERED UNDER § 4 506 OF THE FAMILY LAW ARTICLE;~~

9 ~~B. AN ORDER FOR PROTECTION, AS DEFINED IN §~~
10 ~~4 508.1 OF THE FAMILY LAW ARTICLE, HAS BEEN ISSUED BY A COURT OF ANOTHER~~
11 ~~STATE OR A NATIVE AMERICAN TRIBE AND IS IN EFFECT; OR~~

12 ~~C. A CURRENT EXTREME RISK PROTECTIVE ORDER HAS~~
13 ~~BEEN ENTERED UNDER SUBTITLE 6 OF THIS TITLE;~~

14 ~~6. THE REQUIREMENTS AND OPTIONS FOR~~
15 ~~SURRENDERING, TRANSFERRING, OR OTHERWISE DISPOSING OF A FIREARM AFTER~~
16 ~~BECOMING PROHIBITED FROM POSSESSING A FIREARM UNDER STATE OR FEDERAL~~
17 ~~LAW;~~

18 ~~7. THE REQUIREMENTS FOR REPORTING A LOSS OR~~
19 ~~THEFT OF A FIREARM TO A LAW ENFORCEMENT AGENCY AS REQUIRED BY § 5 146~~
20 ~~OF THIS TITLE;~~

21 ~~8. THE FIREARMS AND FIREARM ACCESSORIES WHICH~~
22 ~~ARE BANNED UNDER STATE AND FEDERAL LAW;~~

23 ~~9. THE TYPES OF FIREARMS THAT REQUIRE A SPECIAL~~
24 ~~PERMIT OR REGISTRATION TO ACQUIRE OR POSSESS UNDER STATE OR FEDERAL~~
25 ~~LAW;~~

26 ~~10. THE LAW PROHIBITING STRAW PURCHASES;~~

27 ~~11. THE LAW CONCERNING ARMED TRESPASS UNDER §~~
28 ~~6 411 OF THE CRIMINAL LAW ARTICLE; AND~~

~~12. THE LOCATIONS WHERE A PERSON IS PROHIBITED FROM POSSESSING A FIREARM REGARDLESS OF WHETHER THE PERSON POSSESSES A PERMIT ISSUED UNDER THIS SUBTITLE;~~

~~(II) HOME FIREARM SAFETY;~~

~~(III) HANDGUN MECHANISMS AND OPERATION;~~

~~(IV) CONFLICT DE-ESCALATION AND RESOLUTION;~~

~~(V) ANGER MANAGEMENT; AND~~

~~(VI) SUICIDE PREVENTION; AND~~

~~(3) A FIREARMS QUALIFICATION COMPONENT THAT INCLUDES LIVE FIRE SHOOTING EXERCISES ON A FIRING RANGE AND REQUIRES THE APPLICANT TO DEMONSTRATE:~~

~~(I) SAFE HANDLING OF A HANDGUN; AND~~

~~(II) SHOOTING PROFICIENCY WITH A HANDGUN.~~

~~(b) An applicant for a permit is not required to complete a certified firearms training course under subsection (a) of this section if the applicant:~~

~~(1) is a law enforcement officer or a person who is retired in good standing from service with a law enforcement agency of the United States, the State, or any local law enforcement agency in the State;~~

~~(2) is a member, retired member, or honorably discharged member of the armed forces of the United States or the National Guard;~~

~~(3) is a qualified handgun instructor; or~~

~~(4) has completed a firearms training course approved by the Secretary.~~

~~(e) An applicant under the age of 30 years is qualified only if the Secretary finds that the applicant has not been:~~

~~(1) committed to a detention, training, or correctional institution for juveniles for longer than 1 year after an adjudication of delinquency by a juvenile court; or~~

~~(2) adjudicated delinquent by a juvenile court for:~~

~~(i) an act that would be a crime of violence if committed by an adult;~~

1 ~~(ii) an act that would be a felony in this State if committed by an~~
2 ~~adult; or~~

3 ~~(iii) an act that would be a misdemeanor in this State that carries a~~
4 ~~statutory penalty of more than 2 years if committed by an adult.~~

5 ~~(D) (1) THE SECRETARY MAY NOT ISSUE A PERMIT TO A PERSON IF THE~~
6 ~~PERSON:~~

7 ~~(I) HAS BEEN CONVICTED OF A SECOND OR SUBSEQUENT~~
8 ~~VIOLATION OF § 4-104 OF THE CRIMINAL LAW ARTICLE; OR~~

9 ~~(H) HAS BEEN CONVICTED OF A VIOLATION OF § 4-104 OF THE~~
10 ~~CRIMINAL LAW ARTICLE IF THE VIOLATION RESULTED IN THE USE OF A LOADED~~
11 ~~FIREARM BY A CHILD CAUSING DEATH OR SERIOUS BODILY INJURY TO THE CHILD~~
12 ~~OR ANOTHER PERSON.~~

13 ~~(2) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, THE~~
14 ~~SECRETARY MAY NOT ISSUE A PERMIT TO A PERSON WHO HAS BEEN CONVICTED OF~~
15 ~~A VIOLATION OF § 4-104 OF THE CRIMINAL LAW ARTICLE FOR 5 YEARS FOLLOWING~~
16 ~~THE DATE OF THE CONVICTION.~~

17 ~~[(d)] (E) The Secretary may issue a handgun qualification license, without an~~
18 ~~additional application or fee, to a person who:~~

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

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

22 ~~SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be~~
23 ~~construed to apply only to an initial application or renewal application for a permit to wear,~~
24 ~~carry, or transport a handgun that is submitted to the Secretary of State Police on or after~~
25 ~~the effective date of this Act. Section 2 may not be construed to affect the requirements to~~
26 ~~maintain a permit to wear, carry, or transport a handgun that was issued by the Secretary~~
27 ~~of State Police before the effective date of this Act until the permit is subject to renewal.~~

28 ~~SECTION 4. 2. AND BE IT FURTHER ENACTED, That if any provision of this Act~~
29 ~~or the application thereof to any person or circumstance is held invalid for any reason in a~~
30 ~~court of competent jurisdiction, the invalidity does not affect other provisions or any other~~
31 ~~application of this Act that can be given effect without the invalid provision or application,~~
32 ~~and for this purpose the provisions of this Act are declared severable.~~

33 ~~SECTION 5. 3. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
34 ~~October 1, 2023.~~