

# SENATE BILL 16

E4  
HB 184/16 – JUD

(PRE-FILED)

7lr0435  
CF HB 162

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By: **Senators Hough and Ready**

Requested: July 18, 2016

Introduced and read first time: January 11, 2017

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 14, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Public Safety – Firearm Application**

3 FOR the purpose of repealing a requirement that a certain firearm application contain a  
4 copy of the applicant's handgun qualification license; requiring that a firearm  
5 application contain the applicant's handgun qualification license number, with a  
6 certain exception; and generally relating to firearm applications.

7 BY repealing and reenacting, with amendments,  
8 Article – Public Safety  
9 Section 5–118(b)  
10 Annotated Code of Maryland  
11 (2011 Replacement Volume and 2016 Supplement)

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

### 14 **Article – Public Safety**

15 5–118.

16 (b) A firearm application shall contain:

17 (1) the firearm applicant's name, address, Social Security number, place  
18 and date of birth, height, weight, race, eye and hair color, signature, driver's or

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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.



1 photographic identification soundex number, occupation, and regulated firearm  
2 information for each regulated firearm to be purchased, rented, or transferred;

3 (2) the date and time that the firearm applicant delivered the completed  
4 firearm application to the prospective seller or transferor;

5 (3) a statement by the firearm applicant under the penalty of perjury that  
6 the firearm applicant:

7 (i) is at least 21 years old;

8 (ii) has never been convicted of a disqualifying crime;

9 (iii) has never been convicted of a violation classified as a common  
10 law crime and received a term of imprisonment of more than 2 years;

11 (iv) is not a fugitive from justice;

12 (v) is not a habitual drunkard;

13 (vi) is not addicted to a controlled dangerous substance or is not a  
14 habitual user;

15 (vii) does not suffer from a mental disorder as defined in §  
16 10–101(i)(2) of the Health – General Article and have a history of violent behavior against  
17 the firearm applicant or another;

18 (viii) has never been found incompetent to stand trial under § 3–106  
19 of the Criminal Procedure Article;

20 (ix) has never been found not criminally responsible under § 3–110  
21 of the Criminal Procedure Article;

22 (x) has never been voluntarily admitted for more than 30  
23 consecutive days to a facility as defined in § 10–101 of the Health – General Article;

24 (xi) has never been involuntarily committed to a facility as defined in  
25 § 10–101 of the Health – General Article;

26 (xii) is not under the protection of a guardian appointed by a court  
27 under § 13–201(c) or § 13–705 of the Estates and Trusts Article, except for cases in which  
28 the appointment of a guardian is solely a result of a physical disability;

29 (xiii) is not a respondent against whom:

30 1. a current non ex parte civil protective order has been  
31 entered under § 4–506 of the Family Law Article; or

1                                   2.     an order for protection, as defined in § 4-508.1 of the  
2 Family Law Article, has been issued by a court of another state or a Native American tribe  
3 and is in effect; and

4                                   (xiv) if under the age of 30 years at the time of application, has not  
5 been adjudicated delinquent by a juvenile court for an act that would be a disqualifying  
6 crime if committed by an adult; and

7                                   (4) [a copy of] **UNLESS THE APPLICANT IS EXCLUDED UNDER §**  
8 **5-117.1(A) OF THIS SUBTITLE**, the applicant’s handgun qualification license **NUMBER**.

9                                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
10 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.