

HOUSE BILL 162

E4
HB 184/16 – JUD

7lr0438
CF SB 16

By: **Delegate Dumais**

Introduced and read first time: January 19, 2017

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 21, 2017

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

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:

Governor.

Speaker of the House of Delegates.

President of the Senate.