

HOUSE BILL 21

E4
HB 716/14 – JUD

(PRE-FILED)

5lr0410

By: **Delegate Schulz**

Requested: September 30, 2014

Introduced and read first time: January 14, 2015

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of establishing that certain provisions relating to a handgun qualification
5 license do not apply to a certain qualified handgun instructor; establishing that a
6 person may purchase, rent, or receive a handgun without a handgun qualification
7 license if the person is a certain qualified handgun instructor and is not otherwise
8 prohibited under State or federal law; requiring the Secretary of State Police to issue
9 a handgun qualification license to a certain person who meets the requirements for
10 a certain permit to carry, wear, or transport a handgun; and generally relating to
11 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 2014 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 2014 Supplement)

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

Article – Public Safety

24
25 5–117.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) This section does not apply to:

2 (1) a licensed firearms manufacturer;

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

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

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

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

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

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

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

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

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

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

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

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

29 5-301.

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

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

3 5-306.

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

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

7 (2) does not have a handgun qualification license issued under §
8 5-117.1 of this title.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2015.