

Department of Legislative Services
 Maryland General Assembly
 2021 Session

FISCAL AND POLICY NOTE
 Third Reader - Revised

Senate Bill 15

(Senator Bailey)

Judicial Proceedings

Judiciary

Firearms - Handgun Permit - Notice of Expiration and Renewal Instructions

This bill requires the Secretary of State Police, at least 60 days before the expiration of a handgun permit, to provide written notice of a handgun permit’s impending expiration and instructions on how to submit a renewal application online through the Maryland State Police Licensing Portal to a holder of a handgun permit by (1) electronic mail, if the holder of the handgun permit has provided an email address to the Secretary or (2) mail. **The bill takes effect July 1, 2021.**

Fiscal Summary

State Effect: General fund expenditures increase by \$291,500 in FY 2022 and by \$224,600 in FY 2023. Revenues are not affected.

(in dollars)	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	291,500	224,600	0	0	0
Net Effect	(\$291,500)	(\$224,600)	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: Generally a permit to wear, carry, or transport a handgun expires on the last day of the holder’s birth month following two years after the date the permit is issued; however, the Secretary may establish an alternative expiration date for a permit to coincide

with the expiration of a private detective license, a security guard certification, or a special police officer commission. A permit may be renewed for successive periods of three 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.

Current law requirements and background relating to the issuance of handgun permits is summarized in the **Appendix – Handgun Permit Requirements – Current Law/Background.**

State Expenditures: General fund expenditures for the Department of State Police (DSP) increase by \$291,450 in fiscal 2022, which accounts for the bill’s July 1, 2021 effective date. This estimate reflects the cost of hiring five contractual office service clerks and one contractual office service clerk supervisor to research, prepare, and mail the required written notice to handgun permit holders. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses, including mailing supplies and postage. The information and assumptions used in calculating the estimate are stated below:

- there are more than 27,000 active handgun permits in the State;
- DSP does not currently notify handgun permit holders of impending permit expirations;
- since October 1, 2019, DSP has accepted and processed handgun permit applications, renewals, modifications, and replacement requests through the Maryland State Police Licensing Portal;
- approximately 23,000 permit holders submitted paper applications before October 1, 2019; and
- in order to notify handgun permit holders of impending permit expirations, DSP must research the date of birth of each permit holder and determine if the permittee holds another license for which an alternative expiration date was established.

Contractual Positions	6.0
Salaries and Fringe Benefits	\$234,129
Mailing Supplies and Postage	9,675
Other Operating Expenses/Equipment	<u>47,646</u>
Total FY 2022 State Expenditures	\$291,450

Fiscal 2023 expenditures reflect salaries with annual increases and employee turnover and ongoing operating expenses.

This estimate does not include (1) any increases in the cost of postage over time or (2) any health insurance costs that could be incurred for specified contractual employees under the State’s implementation of the federal Patient Protection and Affordable Care Act.

Under the bill, DSP expects to have all permit holders entered into the licensing portal by fiscal 2023. Once all of the necessary information for all permit holders is in the licensing portal, DSP expects to be able to automatically send the required written notice to all permit holders by email through the licensing portal. Accordingly, the additional contractual staff are no longer necessary after fiscal 2023.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Department of State Police; Department of Legislative Services

Fiscal Note History: First Reader - January 28, 2021
an/lgc Third Reader - March 16, 2021
Revised - Amendment(s) - March 16, 2021
Revised - Correction - March 16, 2021

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Appendix

Handgun Permit Requirements – Current Law/Background

Generally, with certain exceptions, to be issued a handgun permit by the Secretary of State Police, an applicant (1) must be 18 or older; (2) must not have been convicted of a felony or misdemeanor for which a sentence of imprisonment for more than one year has been imposed or, if convicted, must have been pardoned or been granted relief under federal law; (3) must not have been convicted of a controlled dangerous substance violation and must not presently be an addict, a habitual user of a controlled dangerous substance, or an alcoholic; (4) must not exhibit a propensity for violence or instability, which may reasonably render possession of a handgun a danger to the applicant or another; (5) must have successfully completed, prior to application and each renewal, a specified firearms training course approved by the Secretary; (6) if younger than 30, must not have been committed to a facility for juveniles for longer than one year or adjudicated delinquent for a crime of violence, a felony, or misdemeanor that carries a statutory penalty of more than two years; and (7) must have a good and substantial reason to wear, carry, or transport a handgun. “Good and substantial reason” includes a finding that the permit is necessary as a reasonable precaution against apprehended danger. The Secretary may limit the geographic area, circumstances, or times of day, week, month, or year in which a permit is effective.

A handgun permit applicant must successfully complete, prior to the application and each renewal, a firearms training course approved by the Secretary that includes (1) for an initial application, a minimum of 16 hours of instruction by a qualified handgun instructor, or 8 hours of instruction for a renewal application; (2) classroom instruction on State firearm law, home firearm safety, and handgun mechanisms and operation; and (3) a firearms qualification component that demonstrates the applicant’s proficiency and use of the firearm.

An applicant for a permit is not required to complete a certified firearms training course if the applicant:

- 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;
- is a member, retired member, or honorably discharged member of the U.S. Armed Forces or the National Guard;
- is a qualified handgun instructor; or
- has completed a firearms training course approved by the Secretary.

A handgun permit application costs \$75; two years after the initial permit and every three years thereafter, a \$50 renewal fee is due. In addition, the applicant must pay for fingerprint-based federal and State criminal history background checks for an initial application. A person who applies for a renewal of a handgun 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.

Generally a handgun permit expires on the last day of the holder's birth month following two years after the date the permit is issued; however, the Secretary may establish an alternative expiration date for a permit to coincide with the expiration of a private detective license, a security guard certification, or a special police officer commission. A permit may be renewed for successive periods of three 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.

In 2019, the Department of State Police (DSP) received 5,283 new applications for handgun permits and 7,945 handgun permit renewal applications. DSP denied 569 applications in the same year. There are currently approximately 27,396 active handgun permits in the State. It generally takes less than two days to receive the results of a national criminal history records check from the FBI and approximately 90 days to process, investigate, and issue a permit.