



State of Maryland
Department of State Police
Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: February 2, 2021

BILL NUMBER: Senate Bill 15 **POSITION:** Letter of Information

BILL TITLE: Firearms – Handgun Permit – Notice of Expiration and
Renewal Instructions

REVIEW AND ANALYSIS:

This legislation seeks to require the Secretary of the Department of State Police to provide notice to a handgun permit holder 60 days prior to the expiration of their permit. The notice shall include the impending expiration and instructions on how to renew through the Licensing Portal.

The Licensing Division, as part of its ongoing modernization, launched an electronic, web-based application program on October 1, 2019. The new system is required to be used for all new applications or renewal of handgun permits. Any applicant who uses the on-line system will be notified via email when their renewal is due.

There are approximately 23,000 active handgun permits issued in Maryland that would be affected by this legislation. Possessing a handgun permit requires great responsibility. As part of the Department's ongoing modernization, all of the permit holders who have completed their initial application and renewal application on-line since October 1, 2019 will be notified automatically via email.

Senate Bill 15 would require the Department to hand search every paper application on file prior to October 1, 2019 to search for each applicant's renewal date, as the renewal is on the applicant's birthday. These paper applications are filed by application number, there is no correlation to the expiration date. After the files are located, the staff would have to complete the basic information on a postcard and mail it to the permit holder.

The Licensing Division is currently experiencing a high volume of handgun purchase requests. These purchase or transfer requests require a background investigation to be completed in seven days. (Purchase applications have doubled from 2019 to 2020) Additionally, handgun permit applications have doubled from 2019 to 2020. To add this additional work to the staff required by Senate Bill 15 would require MSP to move pull resources from other Licensing operations jeopardizing thorough investigations and impacting the mandated time frame for the transfer approval or denial.

State of Maryland
Department of State Police
Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

This legislation requires a postcard to be sent to the permit holder advising them when their permit expires and how to renew it. The problem with a postcard is the entire card is readable to anyone who holds the card.

The postcard would include the person's name and the date of the permit's expiration and instructions on how to apply on line for the renewal. Under Maryland law, General Provisions Article, Section 4-325, (a) Except as provided in subsections (b) and (c) of this section, a custodian shall deny inspection of all records of a person authorized to:

- (1) sell, purchase, rent, or transfer a regulated firearm under Title 5, Subtitle 1 of the Public Safety Article; or
- (2) carry, wear, or transport a handgun under Title 5, Subtitle 3 of the Public Safety Article.

Using a postcard would not only violate State law by making this information available to anyone who viewed it; i.e. postal workers, mail thieves, or neighbors picking up the mail, etc. but it could expose the permit holder to unnecessary risk. If the information was retrieved and used by someone or shared with others, a database of handgun permit holders could be established or, at the very least, the postcard would let the reader know that a firearm can be found at a particular residence.