

Article 27 - Crimes and Punishments
Section 36E(g)
Annotated Code of Maryland
(1971 Replacement Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 36E(g) of Article 27 - Crimes and Punishments, of the Annotated Code of Maryland (1971 Replacement Volume and 1975 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article 27 - Crimes and Punishments

36E.

(g) (i) There is created a Handgun Permit Review Board as a separate agency within the Department of Public Safety and Correctional Services. The Board shall consist of five members appointed from the general public by the Governor with the advice and consent of the Senate of Maryland and shall hold office for terms of three years. The members shall hold office for a term of one, two, and three years, respectively, to be designated by the Governor. After the first appointment, the Governor shall annually appoint a member of the Board in the place of the member whose term shall expire. Members of the Board shall be eligible for reappointment. In case of any vacancy in the Board, the Governor shall fill the vacancy by the appointment of a member to serve until the expiration of the term for which the person had been appointed. Each member of the Board shall receive per diem compensation as provided in the budget for each day actually engaged in the discharge of his official duties as well as reimbursement, in accordance with standard travel regulations, for all necessary and proper expenses. (ii) Any person whose application for a permit or renewal of a permit has been rejected or whose permit has been revoked or limited may request the Board to review the decision of the Superintendent by filing a written request for review with the Board within ten days after receipt of written notice of the Superintendent's action. The Board shall either sustain, reverse, or modify the decision of the Superintendent upon a review of the record, or conduct a hearing within thirty days after receipt of the request. If the action taken by the Board results in the rejection of an application for a permit or renewal of a permit or the revocation or limitation of a permit, the Board shall submit in writing to that person the reasons for the action taken by the Board. (iii) Any hearing and any subsequent proceedings of judicial review shall be conducted in accordance with the provisions of the Administrative Procedure Act; provided, however, that no court of this State shall order the issuance or renewal of a permit or alter any limitations on a permit pending final determination of the proceeding. (iv) Any person whose application for a