

State House  
Annapolis, Maryland

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 535.

This bill is intended to permit sheriffs and deputy sheriffs to wear handguns when they are not on active assignment, if they have completed the minimum firearms handling requirements of the police training commission. However, the bill goes further than that and much further than I am prepared to say the law should go at this time.

Section 36B of Article 27 was enacted by the General Assembly (Chapter 13 of 1972), at my request, in order to curb the frequent use of handguns in the commission of crime. Since the enactment of Chapter 13, it is unlawful to wear, carry, or transport any handgun, concealed or openly, in this State [Section 36B(b)], unless one has obtained a permit to carry the handgun. In the past three years, the "handgun law" has helped in the fight to rid the streets of cheap, dangerous handguns.

There are few exceptions to Section 36B(b), and for good reason. In order to be effective, the law must be tightly controlled and enforced. Each exception to the prohibition on the carrying of a handgun is a potential abuse of the law by the person who has been given the favored status of an exception.

The exceptions with which House Bill 535 is concerned are contained in Section 36B(c)(1). This subsection exempts certain law-enforcement personnel from the requirement of obtaining a permit when they are on active assignment and if they are otherwise authorized to carry the weapon as a part of their official equipment. Obviously, these men, while on duty, must be able to carry their weapons without having to obtain a permit.

House Bill 535 repeals the first proviso relating to active assignment. It further substitutes a training requirement as to sheriffs and deputy sheriffs. The primary result of House Bill 535 is that the law enforcement personnel who are presently exempted from the permit requirement of the handgun law only while on active assignment would become exempt even while off duty.

In addition, sheriffs would now be able to authorize their deputies to wear guns at any time so long as they have completed the firearms handling requirements. This applies to full-time or temporary deputies. Section