

5-125. APPROVED, ON HOLD, AND DISAPPROVED APPLICATIONS.

(A) APPROVED APPLICATIONS.

AN APPROVED FIREARM APPLICATION IS VALID ONLY FOR THE PURCHASE, RENTAL, OR TRANSFER OF THE REGULATED FIREARM LISTED IN THE FIREARM APPLICATION.

(B) ON HOLD AND DISAPPROVED APPLICATIONS.

A LICENSEE OR OTHER PERSON MAY NOT SELL, RENT, OR TRANSFER A REGULATED FIREARM TO A FIREARM APPLICANT WHOSE FIREARM APPLICATION IS PLACED ON HOLD BECAUSE OF AN OPEN DISPOSITION OF CRIMINAL PROCEEDINGS AGAINST THE FIREARM APPLICANT OR DISAPPROVED, UNLESS THE HOLD OR DISAPPROVAL HAS BEEN SUBSEQUENTLY WITHDRAWN BY THE SECRETARY OR OVERRULED BY A COURT IN ACCORDANCE WITH § 5-127 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 442(j).

In subsection (b) of this section, the reference to the "hold" or disapproval being withdrawn or overruled is added for clarity and consistency.

Defined terms: "Firearm applicant" § 5-101

"Firearm application" § 5-101

"Licensee" § 5-101

"Person" § 1-101

"Regulated firearm" § 5-101

"Secretary" § 5-101

5-126. HEARINGS.

(A) RIGHT TO HEARING.

(1) A FIREARM APPLICANT WHO IS AGGRIEVED BY THE ACTION OF THE SECRETARY MAY REQUEST A HEARING BY WRITING TO THE SECRETARY WITHIN 30 DAYS AFTER THE SECRETARY FORWARDS NOTICE TO THE FIREARM APPLICANT UNDER § 5-122 OF THIS SUBTITLE.

(2) THE SECRETARY SHALL GRANT THE HEARING WITHIN 15 DAYS AFTER RECEIVING THE REQUEST.

(B) APPLICATION OF CONTESTED CASE PROVISIONS.

THE HEARING SHALL BE HELD IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) VENUE.

THE HEARING SHALL BE HELD IN THE COUNTY OF THE LEGAL RESIDENCE OF THE FIREARM APPLICANT.