

By: Leman

H.B. No. 918

A BILL TO BE ENTITLED

AN ACT

relating to a license to carry a handgun for certain young adults who are protected under certain court orders related to family violence.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 411.172, Government Code, is amended by adding Subsection (i) to read as follows:

(i) Notwithstanding Subsection (a)(2), a person who is at least 18 years of age but not yet 21 years of age is eligible for a license to carry a handgun if the person:

(1) is protected under:

(A) an active protective order issued under:

(i) Title 4, Family Code; or

(ii) Subchapter A, Chapter 7B, Code of Criminal Procedure; or

(B) an active magistrate's order for emergency protection under Article 17.292, Code of Criminal Procedure; and

(2) meets the other eligibility requirements of Subsection (a) except for the minimum age required by federal law to purchase a handgun.

SECTION 2. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.1735 to read as follows:

Sec. 411.1735. PROTECTIVE ORDER DESIGNATION. (a)

Notwithstanding any other provision of this subchapter, a person

1 who establishes eligibility for a license to carry a handgun under
2 Section 411.172(i) may only hold a license under this subchapter
3 that bears a protective order designation on the face of the
4 license.

5 (b) A person described by this section must submit a copy of
6 the applicable court order described by Section 411.172(i)(1) with
7 the application materials described by Section 411.174. The
8 person's application is not considered complete for purposes of
9 this subchapter unless the application includes the documentation
10 and materials required by this section.

11 (c) Notwithstanding Section 411.183, a license that bears a
12 protective order designation under this section is valid only until
13 the date on which the applicable court order described by Section
14 411.172(i)(1) is rescinded or expires.

15 (d) A holder of a license with a protective order
16 designation under this section who becomes 21 years of age may apply
17 for a license under this subchapter that does not bear the
18 designation by using the renewal procedure under Section 411.185,
19 regardless of whether the license that bears the designation has
20 expired or is about to expire.

21 SECTION 3. Section 411.179(a), Government Code, is amended
22 to read as follows:

23 (a) The department by rule shall adopt the form of the
24 license. A license must include:

25 (1) a number assigned to the license holder by the
26 department;

27 (2) a statement of the period for which the license is

1 effective;

2 (3) a photograph of the license holder;

3 (4) the license holder's full name, date of birth, hair
4 and eye color, height, weight, and signature;

5 (5) the license holder's residence address or, as
6 provided by Subsection (d), the street address of the courthouse in
7 which the license holder or license holder's spouse serves as a
8 federal judge or the license holder serves as a state judge;

9 (6) the number of a driver's license or an
10 identification certificate issued to the license holder by the
11 department; ~~and~~

12 (7) the designation "VETERAN" if required under
13 Subsection (e); and

14 (8) if applicable, a protective order designation
15 under Section 411.1735.

16 SECTION 4. Section 411.205, Government Code, is amended to
17 read as follows:

18 Sec. 411.205. REQUIREMENT TO DISPLAY LICENSE. If a license
19 holder is carrying a handgun on or about the license holder's person
20 when a magistrate or a peace officer demands that the license holder
21 display identification, the license holder shall display:

22 (1) both the license holder's driver's license or
23 identification certificate issued by the department and the license
24 holder's handgun license; and

25 (2) if the license holder's handgun license bears a
26 protective order designation, a copy of the applicable court order
27 under which the license holder is protected.

1 SECTION 5. The changes in law made by this Act to Subchapter
2 H, Chapter 411, Government Code, apply only to a completed
3 application for a license to carry a handgun that is received by the
4 Department of Public Safety of the State of Texas on or after the
5 effective date of this Act. A completed application received
6 before the effective date of this Act is governed by the law in
7 effect on the date the application was received, and the former law
8 is continued in effect for that purpose.

9 SECTION 6. This Act takes effect September 1, 2021.