

1-1 By: Leman, et al. (Senate Sponsor - Hughes) H.B. No. 918
 1-2 (In the Senate - Received from the House April 19, 2021;
 1-3 April 19, 2021, read first time and referred to Committee on State
 1-4 Affairs; May 4, 2021, reported favorably by the following vote:
 1-5 Yeas 6, Nays 3; May 4, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13	X			
1-14		X		
1-15	X			
1-16		X		

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to a license to carry a handgun for certain young adults
 1-20 who are protected under certain court orders related to family
 1-21 violence.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 411.172, Government Code, is amended by
 1-24 adding Subsection (i) to read as follows:

1-25 (i) Notwithstanding Subsection (a)(2), a person who is at
 1-26 least 18 years of age but not yet 21 years of age is eligible for a
 1-27 license to carry a handgun if the person:

1-28 (1) is protected under:

1-29 (A) an active protective order issued under:

1-30 (i) Title 4, Family Code; or

1-31 (ii) Subchapter A, Chapter 7B, Code of
 1-32 Criminal Procedure; or

1-33 (B) an active magistrate's order for emergency
 1-34 protection under Article 17.292, Code of Criminal Procedure; and

1-35 (2) meets the other eligibility requirements of
 1-36 Subsection (a) except for the minimum age required by federal law to
 1-37 purchase a handgun.

1-38 SECTION 2. Subchapter H, Chapter 411, Government Code, is
 1-39 amended by adding Section 411.1735 to read as follows:

1-40 Sec. 411.1735. PROTECTIVE ORDER DESIGNATION. (a)
 1-41 Notwithstanding any other provision of this subchapter, a person
 1-42 who establishes eligibility for a license to carry a handgun under
 1-43 Section 411.172(i) may only hold a license under this subchapter
 1-44 that bears a protective order designation on the face of the
 1-45 license.

1-46 (b) A person described by this section must submit a copy of
 1-47 the applicable court order described by Section 411.172(i)(1) with
 1-48 the application materials described by Section 411.174. The
 1-49 person's application is not considered complete for purposes of
 1-50 this subchapter unless the application includes the documentation
 1-51 and materials required by this section.

1-52 (c) Notwithstanding Section 411.183, a license that bears a
 1-53 protective order designation under this section is valid only until
 1-54 the date on which the applicable court order described by Section
 1-55 411.172(i)(1) is rescinded or expires.

1-56 (d) A holder of a license with a protective order
 1-57 designation under this section who becomes 21 years of age may apply
 1-58 for a license under this subchapter that does not bear the
 1-59 designation by using the renewal procedure under Section 411.185,
 1-60 regardless of whether the license that bears the designation has
 1-61 expired or is about to expire.

2-1 (e) The director shall adopt rules establishing a process by
2-2 which the department periodically verifies a license holder's
2-3 eligibility for a license to carry a handgun under Section
2-4 411.172(i) if the license holder's license bears a protective order
2-5 designation under this section. The rules may specify different
2-6 intervals at which the department must verify the license holder's
2-7 eligibility based on the court order used to satisfy the
2-8 eligibility requirement described by Section 411.172(i)(1).

2-9 SECTION 3. Section 411.179(a), Government Code, is amended
2-10 to read as follows:

2-11 (a) The department by rule shall adopt the form of the
2-12 license. A license must include:

2-13 (1) a number assigned to the license holder by the
2-14 department;

2-15 (2) a statement of the period for which the license is
2-16 effective;

2-17 (3) a photograph of the license holder;

2-18 (4) the license holder's full name, date of birth, hair
2-19 and eye color, height, weight, and signature;

2-20 (5) the license holder's residence address or, as
2-21 provided by Subsection (d), the street address of the courthouse in
2-22 which the license holder or license holder's spouse serves as a
2-23 federal judge or the license holder serves as a state judge;

2-24 (6) the number of a driver's license or an
2-25 identification certificate issued to the license holder by the
2-26 department; ~~and~~

2-27 (7) the designation "VETERAN" if required under
2-28 Subsection (e); and

2-29 (8) if applicable, a protective order designation
2-30 under Section 411.1735.

2-31 SECTION 4. Section 411.205, Government Code, is amended to
2-32 read as follows:

2-33 Sec. 411.205. REQUIREMENT TO DISPLAY LICENSE. If a license
2-34 holder is carrying a handgun on or about the license holder's person
2-35 when a magistrate or a peace officer demands that the license holder
2-36 display identification, the license holder shall display:

2-37 (1) both the license holder's driver's license or
2-38 identification certificate issued by the department and the license
2-39 holder's handgun license; and

2-40 (2) if the license holder's handgun license bears a
2-41 protective order designation, a copy of the applicable court order
2-42 under which the license holder is protected.

2-43 SECTION 5. The changes in law made by this Act to Subchapter
2-44 H, Chapter 411, Government Code, apply only to a completed
2-45 application for a license to carry a handgun that is received by the
2-46 Department of Public Safety of the State of Texas on or after the
2-47 effective date of this Act. A completed application received
2-48 before the effective date of this Act is governed by the law in
2-49 effect on the date the application was received, and the former law
2-50 is continued in effect for that purpose.

2-51 SECTION 6. This Act takes effect September 1, 2021.

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