

1-1 By: Guillen, et al. (Senate Sponsor - Birdwell) H.B. No. 2675  
 1-2 (In the Senate - Received from the House May 17, 2021;  
 1-3 May 17, 2021, read first time and referred to Committee on State  
 1-4 Affairs; May 21, 2021, reported favorably by the following vote:  
 1-5 Yeas 9, Nays 0; May 21, 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 a person who is at  
 1-20 increased risk of becoming a victim of violence.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 411.177, Government Code, is amended by  
 1-23 amending Subsections (b) and (c) and adding Subsections (b-1),  
 1-24 (b-2), and (b-3) to read as follows:

1-25 (b) Except as otherwise provided by Subsection (b-1), the  
 1-26 [The] department shall, not later than the 60th day after the date  
 1-27 of the receipt by the director's designee of the completed  
 1-28 application materials:

1-29 (1) issue the license;

1-30 (2) notify the applicant in writing that the  
 1-31 application was denied:

1-32 (A) on the grounds that the applicant failed to  
 1-33 qualify under the criteria listed in Section 411.172;

1-34 (B) based on the affidavit of the director's  
 1-35 designee submitted to the department under Section 411.176(c); or

1-36 (C) based on the affidavit of the qualified  
 1-37 handgun instructor submitted to the department under Section  
 1-38 411.188(k); or

1-39 (3) notify the applicant in writing that the  
 1-40 department is unable to make a determination regarding the issuance  
 1-41 or denial of a license to the applicant within the 60-day period  
 1-42 prescribed by this subsection and include in that notification an  
 1-43 explanation of the reason for the inability and an estimation of the  
 1-44 additional period [amount of time] the department will need to make  
 1-45 the determination.

1-46 (b-1) If the applicant submits with the completed  
 1-47 application materials an application for a designation under  
 1-48 Section 411.184, the department shall, without charging an  
 1-49 additional fee, expedite the application. Not later than the 10th  
 1-50 day after the receipt of the materials under this subsection, the  
 1-51 department shall:

1-52 (1) issue the license with the designation; or

1-53 (2) notify the applicant in writing that the applicant  
 1-54 is not eligible for the designation under Section 411.184 and the  
 1-55 application for the license will be processed in the regular course  
 1-56 of business.

1-57 (b-2) Notwithstanding Subsection (b-1), if the department  
 1-58 determines that the applicant is eligible for the designation under  
 1-59 Section 411.184 but is unable to quickly make a determination  
 1-60 regarding the issuance or denial of a license to the applicant, the  
 1-61 department shall provide written notice of that fact to the

2-1 applicant and shall include in that notice an explanation of the  
 2-2 reason for the inability and an estimation of the additional period  
 2-3 the department will need to make the determination.

2-4 (b-3) The director shall adopt policies for expedited  
 2-5 processing under Subsection (b-1).

2-6 (c) Failure of the department to issue or deny a license for  
 2-7 a period of more than 30 days after the department is required to  
 2-8 act under Subsection (b) constitutes denial, regardless of whether  
 2-9 the applicant was eligible for expedited processing of the  
 2-10 application under Subsection (b-1).

2-11 SECTION 2. Section 411.179(a), Government Code, is amended  
 2-12 to read as follows:

2-13 (a) The department by rule shall adopt the form of the  
 2-14 license. A license must include:

2-15 (1) a number assigned to the license holder by the  
 2-16 department;

2-17 (2) a statement of the period for which the license is  
 2-18 effective;

2-19 (3) a photograph of the license holder;

2-20 (4) the license holder's full name, date of birth, hair  
 2-21 and eye color, height, weight, and signature;

2-22 (5) the license holder's residence address or, as  
 2-23 provided by Subsection (d), the street address of the courthouse in  
 2-24 which the license holder or license holder's spouse serves as a  
 2-25 federal judge or the license holder serves as a state judge;

2-26 (6) the number of a driver's license or an  
 2-27 identification certificate issued to the license holder by the  
 2-28 department; ~~and~~

2-29 (7) the designation "VETERAN" if required under  
 2-30 Subsection (e); and

2-31 (8) any at-risk designation for which the license  
 2-32 holder has established eligibility under Section 411.184.

2-33 SECTION 3. Subchapter H, Chapter 411, Government Code, is  
 2-34 amended by adding Section 411.184 to read as follows:

2-35 Sec. 411.184. AT-RISK DESIGNATION. (a) The department  
 2-36 shall develop a procedure for persons who are at increased risk of  
 2-37 becoming a victim of violence to:

2-38 (1) obtain a handgun license on an expedited basis, if  
 2-39 the person is not already a license holder; and

2-40 (2) qualify for an at-risk designation on the license.

2-41 (b) A person is eligible for an at-risk designation under  
 2-42 this section if:

2-43 (1) the person is protected under, or a member of the  
 2-44 person's household or family is protected under:

2-45 (A) a temporary restraining order or temporary  
 2-46 injunction issued under Subchapter F, Chapter 6, Family Code;

2-47 (B) a temporary ex parte order issued under  
 2-48 Chapter 83, Family Code;

2-49 (C) a protective order issued under Chapter 85,  
 2-50 Family Code;

2-51 (D) a protective order issued under Chapter 7B,  
 2-52 Code of Criminal Procedure; or

2-53 (E) a magistrate's order for emergency  
 2-54 protection issued under Article 17.292, Code of Criminal Procedure;  
 2-55 or

2-56 (2) the person participates in the address  
 2-57 confidentiality program under Subchapter B, Chapter 58, Code of  
 2-58 Criminal Procedure.

2-59 (c) The director may adopt rules to accept alternative  
 2-60 documentation not described by Subsection (b) that shows that the  
 2-61 person is at increased risk of becoming a victim of violence.

2-62 (d) A person may receive an at-risk designation under this  
 2-63 section if the person submits to the department, in the form and  
 2-64 manner provided by the department:

2-65 (1) an application for the designation;

2-66 (2) evidence of the increased risk of becoming a  
 2-67 victim of violence, as provided by Subsection (b) or rules adopted  
 2-68 under Subsection (c); and

2-69 (3) any other information that the department may

3-1 require.

3-2 (e) A license holder may apply for the designation under  
3-3 this section by making an application for a duplicate license. A  
3-4 person who is not a license holder may apply for the designation  
3-5 with the person's application for an original license to carry a  
3-6 handgun.

3-7 (f) A person with a designation granted under this section  
3-8 shall annually certify that the person continues to qualify for the  
3-9 designation and shall submit to the department any information the  
3-10 department requires to verify the person's continuing eligibility.  
3-11 A person who no longer qualifies for the designation under this  
3-12 section shall immediately notify the department.

3-13 (g) If based on the information received under Subsection  
3-14 (f) the department determines that the person is no longer eligible  
3-15 for a designation under this section, the department shall notify  
3-16 the person and issue to the person a duplicate license without a  
3-17 designation.

3-18 (h) On receipt of a duplicate license without a designation  
3-19 under Subsection (g), the license holder shall return the license  
3-20 with the designation to the department.

3-21 (i) The department may not charge a fee for issuing a  
3-22 duplicate license with a designation under this section or for  
3-23 issuing a duplicate license without a designation if the person no  
3-24 longer qualifies for the designation. If a person applies for a  
3-25 designation at the same time the person applies for an original  
3-26 license under this subchapter, the department may charge only the  
3-27 licensing fee.

3-28 SECTION 4. The public safety director of the Department of  
3-29 Public Safety shall adopt the rules necessary to implement Section  
3-30 411.184, Government Code, as added by this Act, not later than  
3-31 December 1, 2021.

3-32 SECTION 5. (a) Section 411.177, Government Code, as  
3-33 amended by this Act, applies only to an application for a license to  
3-34 carry a handgun for which the completed application materials are  
3-35 received by the Department of Public Safety on or after January 1,  
3-36 2022.

3-37 (b) The Department of Public Safety may not accept an  
3-38 application for or grant a designation under Section 411.184,  
3-39 Government Code, as added by this Act, before January 1, 2022.

3-40 SECTION 6. This Act takes effect September 1, 2021.

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