

AN ACT

relating to certain eligibility requirements for a license to carry a concealed handgun.

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

SECTION 1. Section 411.172(b), Government Code, is amended to read as follows:

(b) For the purposes of this section, an offense under the laws of this state, another state, or the United States is:

(1) a felony if the offense, at the time of a person's application for a license to carry a concealed handgun:

(A) is ~~so~~ designated by a law of this state as a felony;

(B) contains all the elements of an offense designated by a law of this state as a felony; or

(C) is punishable by ~~or if~~ confinement for one year or more in a penitentiary ~~[is affixed to the offense as a possible punishment]~~; and

(2) a Class A misdemeanor if the offense is not a felony and confinement in a jail other than a state jail felony facility is affixed as a possible punishment.

SECTION 2. Section 411.173, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The department by rule shall establish a procedure for a

1 person ~~[who is a legal resident of a state that does not provide for~~
 2 ~~the issuance of a license to carry a concealed handgun and]~~ who
 3 meets the eligibility requirements of this subchapter other than
 4 the residency requirement established by Section 411.172(a)(1) to
 5 obtain a license under this subchapter if the person is a legal
 6 resident of a state that does not provide for the issuance of a
 7 license to carry a concealed handgun or if the person relocates to
 8 this state with the intent to establish residency in this state.

9 The procedure must include payment of a fee in an amount sufficient
 10 to recover the average cost to the department of obtaining a
 11 criminal history record check and investigation on a nonresident
 12 applicant.

13 (a-1) If a state whose residents may obtain a license under
 14 this subchapter by following the procedure established under
 15 Subsection (a) enacts a law providing for the issuance of a license
 16 to carry a concealed handgun, a license issued under this
 17 subchapter to a resident of that state:

18 (1) remains in effect until the license expires under
 19 Section 411.183; and

20 (2) may be renewed under Section 411.185 unless the
 21 department negotiates an agreement with that state under Subsection
 22 (b).

23 SECTION 3. This Act takes effect September 1, 2003.

H.B. No. 1704

President of the Senate

Speaker of the House

I certify that H.B. No. 1704 was passed by the House on May 8, 2003, by the following vote: Yeas 139, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1704 was passed by the Senate on May 24, 2003, by a viva-voce vote.

Secretary of the Senate

APPROVED: _____

Date

Governor