

AN ACT

relating to the issuance of concealed handgun licenses to residents of certain other states and to reciprocity agreements with other states concerning concealed handgun licenses.

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

SECTION 1. Section 411.173, Government Code, is amended to read as follows:

Sec. 411.173. NONRESIDENT LICENSE. (a) The department by rule shall establish a procedure for a person who is a legal resident of a state that does not provide for the issuance of a license to carry a concealed handgun and who meets the eligibility requirements of this subchapter other than the residency requirement established by Section 411.172(a)(1) to obtain a license under this subchapter. The procedure must include payment of a fee in an amount sufficient to recover the average cost to the department of obtaining a criminal history record check and investigation on a nonresident applicant. If a state whose residents may obtain a license under this subsection enacts a law providing for the issuance of a license to carry a concealed handgun, a license issued to a resident of that state:

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

(2) may be renewed under Section 411.185 until the time a license issued by the other state is recognized by this state

1 under Subsection (b).

2 (b) The governor [~~department~~] shall negotiate an agreement
3 with any other state that provides for the issuance of a license to
4 carry a concealed handgun under which a license issued by the other
5 state is recognized in this state or shall issue a proclamation that
6 a license issued by the other state is recognized in this state if
7 the attorney general of the State of Texas [~~department~~] determines
8 that [+

9 [~~(1)~~] a [~~the eligibility requirements imposed by the~~
10 ~~other state include~~] background check of each applicant for a
11 license issued by that state is conducted by state or local
12 authorities or an agent of the state or local authorities before the
13 license is issued to determine the applicants' eligibility to
14 possess a firearm under federal law [~~requirements that meet or~~
15 ~~exceed background check requirements imposed by federal law as a~~
16 ~~condition of receiving a handgun; and~~

17 [~~(2) the other state recognizes a license issued in~~
18 ~~this state~~].

19 (c) The attorney general of the State of Texas shall
20 annually:

21 (1) submit a report to the governor, lieutenant
22 governor, and speaker of the house of representatives listing the
23 states the attorney general has determined qualify for recognition
24 under Subsection (b); and

25 (2) review the statutes of states that the attorney
26 general has determined do not qualify for recognition under
27 Subsection (b) to determine the changes to their statutes that are

1 necessary to qualify for recognition under that subsection.

2 (d) The attorney general of the State of Texas shall submit
3 the report required by Subsection (c)(1) not later than January 1 of
4 each calendar year.

5 SECTION 2. (a) This Act takes effect September 1, 2003.

6 (b) The attorney general of the State of Texas shall submit
7 the first report required by Section 411.173(c)(1), Government
8 Code, as added by this Act, not later than January 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 3477 was passed by the House on May 8, 2003, by the following vote: Yeas 137, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3477 was passed by the Senate on May 22, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor