

By: Stick

H.B. No. 3477

Substitute the following for H.B. No. 3477:

By: Hupp

C.S.H.B. No. 3477

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the issuance of concealed handgun licenses to residents
3 of certain other states and to reciprocity agreements with other
4 states concerning concealed handgun licenses.

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

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

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

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

23 (2) may be renewed under Section 411.185 until the
24 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 [~~department~~] determines that [+

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

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

18 (c) The attorney general shall annually:

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

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

27 (d) The attorney general shall submit the report required by

1 Subsection (c)(1) not later than January 1 of each calendar year.

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

3 (b) The attorney general shall submit the first report
4 required by Section 411.173(c)(1), Government Code, as added by
5 this Act, not later than January 1, 2005.