

1-1 By: Stick, et al. (Senate Sponsor - Estes) H.B. No. 3477
1-2 (In the Senate - Received from the House May 9, 2003;
1-3 May 13, 2003, read first time and referred to Committee on
1-4 Administration; May 20, 2003, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; May 20, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the issuance of concealed handgun licenses to residents
1-9 of certain other states and to reciprocity agreements with other
1-10 states concerning concealed handgun licenses.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 411.173, Government Code, is amended to
1-13 read as follows:

1-14 Sec. 411.173. NONRESIDENT LICENSE. (a) The department by
1-15 rule shall establish a procedure for a person who is a legal
1-16 resident of a state that does not provide for the issuance of a
1-17 license to carry a concealed handgun and who meets the eligibility
1-18 requirements of this subchapter other than the residency
1-19 requirement established by Section 411.172(a)(1) to obtain a
1-20 license under this subchapter. The procedure must include payment
1-21 of a fee in an amount sufficient to recover the average cost to the
1-22 department of obtaining a criminal history record check and
1-23 investigation on a nonresident applicant. If a state whose
1-24 residents may obtain a license under this subsection enacts a law
1-25 providing for the issuance of a license to carry a concealed
1-26 handgun, a license issued to a resident of that state:

1-27 (1) remains in effect until the license expires under
1-28 Section 411.183; and

1-29 (2) may be renewed under Section 411.185 until the
1-30 time a license issued by the other state is recognized by this state
1-31 under Subsection (b).

1-32 (b) The governor [department] shall negotiate an agreement
1-33 with any other state that provides for the issuance of a license to
1-34 carry a concealed handgun under which a license issued by the other
1-35 state is recognized in this state or shall issue a proclamation that
1-36 a license issued by the other state is recognized in this state if
1-37 the attorney general of the State of Texas [department] determines
1-38 that [+

1-39 [(-)] a [the eligibility requirements imposed by the
1-40 other state include] background check of each applicant for a
1-41 license issued by that state is conducted by state or local
1-42 authorities or an agent of the state or local authorities before the
1-43 license is issued to determine the applicants' eligibility to
1-44 possess a firearm under federal law [requirements that meet or
1-45 exceed background check requirements imposed by federal law as a
1-46 condition of receiving a handgun; and

1-47 [(-) the other state recognizes a license issued in
1-48 this state].

1-49 (c) The attorney general of the State of Texas shall
1-50 annually:

1-51 (1) submit a report to the governor, lieutenant
1-52 governor, and speaker of the house of representatives listing the
1-53 states the attorney general has determined qualify for recognition
1-54 under Subsection (b); and

1-55 (2) review the statutes of states that the attorney
1-56 general has determined do not qualify for recognition under
1-57 Subsection (b) to determine the changes to their statutes that are
1-58 necessary to qualify for recognition under that subsection.

1-59 (d) The attorney general of the State of Texas shall submit
1-60 the report required by Subsection (c)(1) not later than January 1 of
1-61 each calendar year.

1-62 SECTION 2. (a) This Act takes effect September 1, 2003.

1-63 (b) The attorney general of the State of Texas shall submit
1-64 the first report required by Section 411.173(c)(1), Government

2-1 Code, as added by this Act, not later than January 1, 2005.

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