

BILL ANALYSIS

Senate Research Center
79R10623 UM-F

H.B. 1038
By: Isett (Brimer)
Criminal Justice
5/16/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Texas has one of the highest conceal carry licensing fees in the country. When the fees were enacted, they were intended to be revenue neutral.

In 1997, the 75th Legislature also amended the Government Code to reduce the fees for a concealed carry license for senior citizens and indigents. Under Section 411.194, which applies to indigents, the fee reduction applies to the issuance of an original, duplicate, modified, or renewed license. However, Section 411.195, which applies to seniors, only reduces the fee for the issuance of an original, duplicate, or modified license. The fee reduction for seniors to renew a concealed license was inadvertently overlooked and as such, seniors pay a reduced fee to obtain an original concealed to carry license but pay the full fee to renew the license.

H.B 1038 resolves this variance by reducing the fees for seniors to renew a concealed carry license.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 411.174(a), Government Code, to require an applicant for a license to carry a concealed handgun to submit specific information to the public safety director's designee described by Section 411.176 (Review of Application Materials), including a nonrefundable application and license fee of \$100, rather than \$140, paid to the Texas Department of Public Safety (DPS).

SECTION 2. Amends Section 411.185(a), Government Code, to require a concealed handgun license holder to pay a nonrefundable renewal fee of \$50 to renew a license.

SECTION 3. Amends Section 411.195, Government Code, to require DPS to reduce any fee required for the issuance of an original, duplicate, modified, or renewed license under this subchapter by 30 percent, rather than reducing by 50 percent the fee for the issuance of an original, duplicate, or modified license, if the applicant for the license is 60 years of age or older.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2005.