BILL ANALYSIS

BACKGROUND AND PURPOSE

Current law allows residents of states that have no concealed handgun license (CHL) program to apply for non-resident Texas licenses because there is no way their state can qualify for a reciprocity agreement with Texas. HB 1066 allows residents of another state to apply for a Texas CHL, regardless of whether that resident lives in a state with or without a concealed handgun law. Thus, HB 1066 enables residents from all 49 states to apply for a Texas CHL.

HB 1066 also mandates that in order to effectuate reciprocity with Texas, other states or their local authorities must have initiated a background check of each applicant for a CHL license before the license is issued. This change enables Texas to better establish reciprocity agreements with other states.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends §411.173 of the Government Code by removing language providing a procedure for obtaining a license under this section only for residents from those states that do not provide for the issuance of a license to carry a concealed handgun and by adding language that provides a procedure for obtaining a license under this section to residents of all other states.

The bill also amends §411.173 of the Government Code by adding language that provides that a license issued to a legal resident of another state under this subsection remain in effect until the license expires under §411.185 and provides the option for renewal under §411.185.

The bill further amends §411.173 of the Government Code by providing that background checks of each applicant for a license must be initiated by state or local authorities before the license is issued. The bill also defines a background check as a search of the National Crime Information Center database and the Interstate Identification Index maintained by the Federal Bureau of Investigation.

EFFECTIVE DATE

Immediately, or, if the Act does not receive the necessary vote, the Act takes effect on September 1, 2005