

AN ACT

relating to the issuance and expiration of certain licenses to carry a concealed handgun.

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

SECTION 1. Section 411.173(a), Government Code, as amended by Chapters 255 and 752, Acts of the 78th Legislature, Regular Session, 2003, is reenacted and amended to read as follows:

(a) The department by rule shall establish a procedure for a person 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 if the person is a legal resident of another [a] state [~~that does not provide for the issuance of a license to carry a concealed handgun~~] or if the person relocates to this state with the intent to establish residency in this state. 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. A license issued in accordance with the procedure established under this subsection [~~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

1 (2) may be renewed under Section 411.185 [~~until the~~
2 ~~time a license issued by the other state is recognized by this state~~
3 ~~under Subsection (b)~~].

4 SECTION 2. Section 411.173(b), Government Code, is amended
5 to read as follows:

6 (b) The governor shall negotiate an agreement with any other
7 state that provides for the issuance of a license to carry a
8 concealed handgun under which a license issued by the other state is
9 recognized in this state or shall issue a proclamation that a
10 license issued by the other state is recognized in this state if the
11 attorney general of the State of Texas determines that a background
12 check of each applicant for a license issued by that state is
13 initiated [~~conducted~~] by state or local authorities or an agent of
14 the state or local authorities before the license is issued [~~to~~
15 ~~determine the applicants' eligibility to possess a firearm under~~
16 ~~federal law~~]. For purposes of this subsection, "background check"
17 means a search of the National Crime Information Center database
18 and the Interstate Identification Index maintained by the Federal
19 Bureau of Investigation.

20 SECTION 3. Section 411.183(b), Government Code, is amended
21 to read as follows:

22 (b) A renewed license expires on the license holder's
23 birthdate, five [~~four~~] years after the date of the expiration of the
24 previous license.

25 SECTION 4. Section 411.173(a-1), Government Code, is
26 repealed.

27 SECTION 5. This Act applies only to a license renewed on or

1 after September 1, 2005.

2 SECTION 6. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 225 was passed by the House on March 22, 2005, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 225 on May 16, 2005, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 225 on May 27, 2005, by a non-record vote.

Chief Clerk of the House

H.B. No. 225

I certify that H.B. No. 225 was passed by the Senate, with amendments, on May 12, 2005, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 225 on May 28, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor