

1-1 By: Hupp, et al. (Senate Sponsor - Estes) H.B. No. 322  
1-2 (In the Senate - Received from the House March 29, 2005;  
1-3 March 30, 2005, read first time and referred to Committee on  
1-4 Criminal Justice; April 11, 2005, rereferred to Committee on  
1-5 Veteran Affairs and Military Installations; May 10, 2005, reported  
1-6 adversely, with favorable Committee Substitute by the following  
1-7 vote: Yeas 5, Nays 0; May 10, 2005, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR H.B. No. 322 By: Estes

1-9 A BILL TO BE ENTITLED  
1-10 AN ACT

1-11 relating to concealed handgun licenses for members and veterans of  
1-12 the United States armed forces.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 411.172, Government Code, is amended by  
1-15 adding Subsections (g) and (h) to read as follows:

1-16 (g) Notwithstanding Subsection (a)(2), a person who is at  
1-17 least 18 years of age but not yet 21 years of age is eligible for a  
1-18 license to carry a concealed handgun if the person:

1-19 (1) is a member or veteran of the United States armed  
1-20 forces, including a member or veteran of the reserves or national  
1-21 guard;

1-22 (2) was discharged under honorable conditions, if  
1-23 discharged from the United States armed forces, reserves, or  
1-24 national guard; and

1-25 (3) meets the other eligibility requirements of  
1-26 Subsection (a) except for the minimum age required by federal law to  
1-27 purchase a handgun.

1-28 (h) The issuance of a license to carry a concealed handgun  
1-29 to a person eligible under Subsection (g) does not affect the  
1-30 person's ability to purchase a handgun or ammunition under federal  
1-31 law.

1-32 SECTION 2. Section 411.174(a), Government Code, is amended  
1-33 to read as follows:

1-34 (a) An applicant for a license to carry a concealed handgun  
1-35 must submit to the director's designee described by Section  
1-36 411.176:

1-37 (1) a completed application on a form provided by the  
1-38 department that requires only the information listed in Subsection  
1-39 (b);

1-40 (2) two recent color passport photographs of the  
1-41 applicant, except that an applicant who is younger than 21 years of  
1-42 age must submit two recent color passport photographs in profile of  
1-43 the applicant;

1-44 (3) a certified copy of the applicant's birth  
1-45 certificate or certified proof of age;

1-46 (4) proof of residency in this state;

1-47 (5) two complete sets of legible and classifiable  
1-48 fingerprints of the applicant taken by a person appropriately  
1-49 trained in recording fingerprints who is employed by a law  
1-50 enforcement agency or by a private entity designated by a law  
1-51 enforcement agency as an entity qualified to take fingerprints of  
1-52 an applicant for a license under this subchapter;

1-53 (6) a nonrefundable application and license fee of  
1-54 \$140 paid to the department;

1-55 (7) a handgun proficiency certificate described by  
1-56 Section 411.189;

1-57 (8) an affidavit signed by the applicant stating that  
1-58 the applicant:

1-59 (A) has read and understands each provision of  
1-60 this subchapter that creates an offense under the laws of this state  
1-61 and each provision of the laws of this state related to use of  
1-62 deadly force; and

1-63 (B) fulfills all the eligibility requirements

2-1 listed under Section 411.172; and

2-2 (9) a form executed by the applicant that authorizes  
2-3 the director to make an inquiry into any noncriminal history  
2-4 records that are necessary to determine the applicant's eligibility  
2-5 for a license under Section 411.172(a).

2-6 SECTION 3. Section 411.184(a), Government Code, is amended  
2-7 to read as follows:

2-8 (a) To modify a license to allow a license holder to carry a  
2-9 handgun of a different category than the license indicates, the  
2-10 license holder must:

2-11 (1) complete a proficiency examination as provided by  
2-12 Section 411.188(e);

2-13 (2) obtain a handgun proficiency certificate under  
2-14 Section 411.189 not more than six months before the date of  
2-15 application for a modified license; and

2-16 (3) submit to the department:

2-17 (A) an application for a modified license on a  
2-18 form provided by the department;

2-19 (B) a copy of the handgun proficiency  
2-20 certificate;

2-21 (C) payment of a modified license fee of \$25; and

2-22 (D) two recent color passport photographs of the  
2-23 license holder, except that an applicant who is younger than 21  
2-24 years of age must submit two recent color passport photographs in  
2-25 profile of the applicant.

2-26 SECTION 4. Subchapter H, Chapter 411, Government Code, is  
2-27 amended by adding Section 411.1951 to read as follows:

2-28 Sec. 411.1951. REDUCTION OF FEES FOR MEMBERS OF UNITED  
2-29 STATES ARMED FORCES. Notwithstanding any other provision of this  
2-30 subchapter, the department shall reduce by 50 percent any fee  
2-31 required for the issuance of an original, duplicate, modified, or  
2-32 renewed license under this subchapter if the applicant for the  
2-33 license is a member of the United States armed forces, including a  
2-34 member of the reserves, national guard, or state guard.

2-35 SECTION 5. This Act takes effect September 1, 2005.

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