

By: Isett

H.B. No. 1038

Substitute the following for H.B. No. 1038:

By: Frost

C.S.H.B. No. 1038

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to certain reduced fees for a license to carry a concealed  
3 handgun.

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

5 SECTION 1. Section 411.174(a), Government Code, is amended  
6 to read as follows:

7 (a) An applicant for a license to carry a concealed handgun  
8 must submit to the director's designee described by Section  
9 411.176:

10 (1) a completed application on a form provided by the  
11 department that requires only the information listed in Subsection  
12 (b);

13 (2) two recent color passport photographs of the  
14 applicant;

15 (3) a certified copy of the applicant's birth  
16 certificate or certified proof of age;

17 (4) proof of residency in this state;

18 (5) two complete sets of legible and classifiable  
19 fingerprints of the applicant taken by a person appropriately  
20 trained in recording fingerprints who is employed by a law  
21 enforcement agency or by a private entity designated by a law  
22 enforcement agency as an entity qualified to take fingerprints of  
23 an applicant for a license under this subchapter;

24 (6) a nonrefundable application and license fee of

1 \$100 [~~\$140~~] paid to the department;

2 (7) a handgun proficiency certificate described by  
3 Section 411.189;

4 (8) an affidavit signed by the applicant stating that  
5 the applicant:

6 (A) has read and understands each provision of  
7 this subchapter that creates an offense under the laws of this state  
8 and each provision of the laws of this state related to use of  
9 deadly force; and

10 (B) fulfills all the eligibility requirements  
11 listed under Section 411.172; and

12 (9) a form executed by the applicant that authorizes  
13 the director to make an inquiry into any noncriminal history  
14 records that are necessary to determine the applicant's eligibility  
15 for a license under Section 411.172(a).

16 SECTION 2. Section 411.185(a), Government Code, is amended  
17 to read as follows:

18 (a) To renew a license, a license holder must:

19 (1) complete a continuing education course in handgun  
20 proficiency under Section 411.188(c) not more than six months  
21 before the date of application for renewal;

22 (2) obtain a handgun proficiency certificate under  
23 Section 411.189 not more than six months before the date of  
24 application for renewal; and

25 (3) submit to the department:

26 (A) an application for renewal on a form provided  
27 by the department;

1 (B) a copy of the handgun proficiency  
2 certificate;

3 (C) payment of a nonrefundable renewal fee of \$50  
4 ~~[as set by the department]~~; and

5 (D) two recent color passport photographs of the  
6 applicant.

7 SECTION 3. Section 411.195, Government Code, is amended to  
8 read as follows:

9 Sec. 411.195. REDUCTION OF FEES FOR SENIOR CITIZENS.  
10 Notwithstanding any other provision of this subchapter, the  
11 department shall reduce by 30 ~~[50]~~ percent any fee required for the  
12 issuance of an original, duplicate, ~~[or]~~ modified, or renewed  
13 license under this subchapter if the applicant for the license is 60  
14 years of age or older.

15 SECTION 4. This Act applies only to an application  
16 submitted or a renewal that occurs on or after the effective date of  
17 this Act. An application submitted or a renewal that occurs before  
18 the effective date of this Act is covered by the law in effect on the  
19 date of the application or renewal, and the former law is continued  
20 in effect for that purpose.

21 SECTION 5. This Act takes effect September 1, 2005.