

1-1 By: Frost, Guillen (Senate Sponsor - Eltife) H.B. No. 1483
1-2 (In the Senate - Received from the House April 27, 2005;
1-3 April 29, 2005, read first time and referred to Committee on
1-4 Criminal Justice; May 20, 2005, reported favorably by the
1-5 following vote: Yeas 4, Nays 0; May 20, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the method of payment for a concealed handgun license
1-9 and the fee for a duplicate or modified license.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 411.196, Government Code, is amended to
1-12 read as follows:

1-13 Sec. 411.196. METHOD OF PAYMENT. A person may pay a fee
1-14 required by this subchapter [~~only~~] by cash, credit card, personal
1-15 check, cashier's check, or money order. A person who pays a fee
1-16 required by this subchapter by cash must pay the fee in person.
1-17 Checks or money orders must be made payable to the "Texas Department
1-18 of Public Safety[," or any other method approved by the
1-19 department]." A person whose payment for a fee required by this
1-20 subchapter is dishonored or reversed must pay any future fees
1-21 required by this subchapter by cashier's check or money order made
1-22 payable to the "Texas Department of Public Safety." A fee received
1-23 by the department under this subchapter is nonrefundable.

1-24 SECTION 2. Section 411.186, Government Code, is amended by
1-25 amending Subsections (a) and (c) and adding Subsection (d) to read
1-26 as follows:

1-27 (a) A license may be revoked under this section if the
1-28 license holder:

1-29 (1) was not entitled to the license at the time it was
1-30 issued;

1-31 (2) gave false information on the application;

1-32 (3) subsequently becomes ineligible for a license
1-33 under Section 411.172, unless the sole basis for the ineligibility
1-34 is that the license holder is charged with the commission of a Class
1-35 A or Class B misdemeanor or an offense under Section 42.01, Penal
1-36 Code, or of a felony under an information or indictment;

1-37 (4) is convicted of an offense under Section 46.035,
1-38 Penal Code; [~~or~~]

1-39 (5) is determined by the department to have engaged in
1-40 conduct constituting a reason to suspend a license listed in
1-41 Section 411.187(a) after the person's license has been previously
1-42 suspended twice for the same reason; or

1-43 (6) submits an application fee that is dishonored or
1-44 reversed.

1-45 (c) A license holder whose license is revoked for a reason
1-46 listed in Subsections (a)(1)-(5) [this section] may reapply as a
1-47 new applicant for the issuance of a license under this subchapter
1-48 after the second anniversary of the date of the revocation if the
1-49 cause for revocation does not exist on the date of the second
1-50 anniversary. If the cause for revocation exists on the date of the
1-51 second anniversary after the date of revocation, the license holder
1-52 may not apply for a new license until the cause for revocation no
1-53 longer exists and has not existed for a period of two years.

1-54 (d) A license holder whose license is revoked under
1-55 Subsection (a)(6) may reapply for an original or renewed license at
1-56 any time, provided the application fee and a dishonored payment
1-57 charge of \$25 is paid by cashier's check or money order made payable
1-58 to the "Texas Department of Public Safety."

1-59 SECTION 3. Section 411.181, Government Code, is amended by
1-60 amending Subsection (d) and adding Subsection (i) to read as
1-61 follows:

1-62 (d) The department shall charge a license holder a fee of
1-63 \$10 [~~\$25~~] for a duplicate license.

1-64 (i) A license holder whose application fee for a duplicate

2-1 license under this section is dishonored or reversed may reapply
2-2 for a duplicate license at any time, provided the application fee
2-3 and a dishonored payment charge of \$25 is paid by cashier's check or
2-4 money order made payable to the "Texas Department of Public
2-5 Safety."

2-6 SECTION 4. Section 411.184, Government Code, is amended by
2-7 amending Subsection (a) and adding Subsection (e) to read as
2-8 follows:

2-9 (a) To modify a license to allow a license holder to carry a
2-10 handgun of a different category than the license indicates, the
2-11 license holder must:

2-12 (1) complete a proficiency examination as provided by
2-13 Section 411.188(e);

2-14 (2) obtain a handgun proficiency certificate under
2-15 Section 411.189 not more than six months before the date of
2-16 application for a modified license; and

2-17 (3) submit to the department:
2-18 (A) an application for a modified license on a
2-19 form provided by the department;

2-20 (B) a copy of the handgun proficiency
2-21 certificate;

2-22 (C) payment of a modified license fee of \$10
2-23 [~~\$25~~]; and

2-24 (D) two recent color passport photographs of the
2-25 license holder.

2-26 (e) A license holder whose application fee for a modified
2-27 license under this section is dishonored or reversed may reapply
2-28 for a modified license at any time, provided the application fee and
2-29 a dishonored payment charge of \$25 is paid by cashier's check or
2-30 money order made payable to the "Texas Department of Public
2-31 Safety."

2-32 SECTION 5. The change in law made by this Act applies only
2-33 to an applicant for an original, renewed, duplicate, or modified
2-34 license under Chapter 411, Government Code, as amended by this Act,
2-35 who submits the application on or after the effective date of this
2-36 Act.

2-37 SECTION 6. This Act takes effect September 1, 2005.

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