

By: Talton

H.B. No. 1831

A BILL TO BE ENTITLED

AN ACT

relating to the definition of "convicted" for purposes of eligibility to carry a concealed handgun.

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

SECTION 1. Section 411.171(4), Government Code, is amended to read as follows:

(4) "Convicted" means an adjudication of guilt or, except as provided in Section 411.1711, an order of deferred adjudication entered against a person by a court of competent jurisdiction whether or not the imposition of the sentence is subsequently probated and the person is discharged from community supervision. The term does not include an adjudication of guilt or an order of deferred adjudication that has been subsequently:

(A) expunged; or

(B) pardoned under the authority of a state or federal official.

SECTION 2. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.1711 to read as follows:

Sec. 411.1711. CERTAIN EXEMPTIONS FROM CONVICTIONS. A person is not convicted, as that term is defined by Section 411.171, if an order of deferred adjudication was entered against the person on a date not less than 10 years preceding the date of the person's application for a license under this subchapter unless the order of deferred adjudication was entered against the person for an offense

H.B. No. 1831

1 under Title 5, Penal Code, or Chapter 29, Penal Code.

2 SECTION 3. This Act takes effect September 1, 2005.