

1-1 By: Talton (Senate Sponsor - Hinojosa) H.B. No. 1831
1-2 (In the Senate - Received from the House May 5, 2005;
1-3 May 8, 2005, read first time and referred to Committee on Criminal
1-4 Justice; May 20, 2005, reported favorably by the following vote:
1-5 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 definition of "convicted" for purposes of
1-9 eligibility to carry a concealed handgun.

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

1-11 SECTION 1. Section 411.171(4), Government Code, is amended
1-12 to read as follows:

1-13 (4) "Convicted" means an adjudication of guilt or,
1-14 except as provided in Section 411.1711, an order of deferred
1-15 adjudication entered against a person by a court of competent
1-16 jurisdiction whether or not the imposition of the sentence is
1-17 subsequently probated and the person is discharged from community
1-18 supervision. The term does not include an adjudication of guilt or
1-19 an order of deferred adjudication that has been subsequently:

1-20 (A) expunged; or

1-21 (B) pardoned under the authority of a state or
1-22 federal official.

1-23 SECTION 2. Subchapter H, Chapter 411, Government Code, is
1-24 amended by adding Section 411.1711 to read as follows:

1-25 Sec. 411.1711. CERTAIN EXEMPTIONS FROM CONVICTIONS. A
1-26 person is not convicted, as that term is defined by Section 411.171,
1-27 if an order of deferred adjudication was entered against the person
1-28 on a date not less than 10 years preceding the date of the person's
1-29 application for a license under this subchapter unless the order of
1-30 deferred adjudication was entered against the person for an offense
1-31 under Title 5, Penal Code, or Chapter 29, Penal Code.

1-32 SECTION 3. This Act takes effect September 1, 2005.

1-33 * * * * *