

BILL ANALYSIS

C.S.H.B. 2952
By: Talton
Law Enforcement
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Citizens applying for concealed handgun licenses have found themselves prevented from obtaining a license by old convictions for offenses that under today's laws would not prevent them from obtaining a license.

C.S.H.B. 2952 brings the statutes up-to-date of these old convictions.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 411.171(4) by adding language to expand the description of deferred adjudication.

SECTION 2. Amends Section 411.172 by adding to the definition of a felony to provide that offenses that are deemed misdemeanors at the time of the application for a concealed handgun license or does not contain all the elements of a felony are not considered felonies.

SECTION 3. Amends Section 46.04, Penal Code, to add the definition of "convicted" and adds new subsections to reflect new language in the Government Code.

SECTION 4. Effective Date. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

Section 3, amending Section 46.04 of the Penal Code was not included in the original bill.