

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 20, 2007

TO: Honorable Joe Driver, Chair, House Committee on Law Enforcement

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2952 by Talton (Relating to the eligibility of persons convicted of certain offenses to possess or carry certain firearms.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Government Code by restricting the definition of convicted, as it relates to a license to carry a concealed handgun, to not include an adjudication of guilt or an order of deferred adjudication that has been vacated, set aside, annulled, invalidated, discharged, voided, or sealed.

The bill would amend the Government Code relating to eligibility for a license to carry a concealed handgun and the definition of a felony by changing the time at which the determination of offense level is made. The determination would be shifted from the time of an application for a license to carry a concealed handgun to the time the offense is committed. An offense that has been reduced to a misdemeanor or does not contain all the elements of any offense by a law of this state as a felony, at the time of an application for a license to carry a concealed handgun, is not considered a felony.

The bill would also amend the Penal Code by defining conditions for which an offense is not considered a felony relating to the offense of unlawful possession of firearm.

The bill would take effect immediately if it receives a vote of two-thirds of all the members of each house. If the bill does not receive the necessary vote, it would take effect on September 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, ES, GG, TM, KJG