

1-1 By: Campbell S.B. No. 864
1-2 (In the Senate - Filed February 26, 2013; March 5, 2013, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 4, 2013, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 4, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Huffman	X		
1-10	Carona	X		
1-11	Hinojosa	X		
1-12	Patrick	X		
1-13	Rodriguez	X		
1-14	Schwertner	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to a handgun proficiency course that is taken to obtain or
1-18 renew a concealed handgun license.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subsection (a), Section 411.185, Government
1-21 Code, is amended to read as follows:

1-22 (a) To renew a license, a license holder must:

1-23 (1) complete a ~~[continuing education course in]~~
1-24 handgun proficiency course under Section 411.188(a) ~~[411.188(c)]~~
1-25 within the six-month period preceding:

1-26 (A) the date of application for renewal, for a
1-27 first or second renewal; and

1-28 (B) the date of application for renewal or the
1-29 date of application for the preceding renewal, for a third or
1-30 subsequent renewal, to ensure that the license holder is not
1-31 required to complete the course more than once in any 10-year
1-32 period; and

1-33 (2) submit to the department:

1-34 (A) an application for renewal on a form provided
1-35 by the department;

1-36 (B) evidence of handgun proficiency, in the form
1-37 and manner required by the department;

1-38 (C) payment of a nonrefundable renewal fee as set
1-39 by the department; and

1-40 (D) one or more photographs of the applicant that
1-41 meet the requirements of the department.

1-42 SECTION 2. Subsections (a), (b), and (j), Section 411.188,
1-43 Government Code, are amended to read as follows:

1-44 (a) The director by rule shall establish minimum standards
1-45 for handgun proficiency and shall develop a course to teach handgun
1-46 proficiency and examinations to measure handgun proficiency. The
1-47 course to teach handgun proficiency is required for each person who
1-48 seeks to obtain or renew a license and must contain training
1-49 sessions divided into two parts. One part of the course must be
1-50 classroom instruction and the other part must be range instruction
1-51 and an actual demonstration by the applicant of the applicant's
1-52 ability to safely and proficiently use the applicable category of
1-53 handgun. An applicant must be able to demonstrate, at a minimum,
1-54 the degree of proficiency that is required to effectively operate a
1-55 handgun of .32 caliber or above. The department shall distribute
1-56 the standards, course requirements, and examinations on request to
1-57 any qualified handgun instructor.

1-58 (b) Only ~~[a]~~ qualified handgun instructors ~~[instructor]~~ may
1-59 administer the classroom instruction part or the range instruction
1-60 part of the ~~[a]~~ handgun proficiency course. The classroom
1-61 instruction part of the ~~[handgun proficiency]~~ course must include

2-1 not less than four [~~at least 10~~] hours and not more than six [~~15~~]
2-2 hours of instruction on:

2-3 (1) the laws that relate to weapons and to the use of
2-4 deadly force;

2-5 (2) handgun use[~~, proficiency,~~] and safety;

2-6 (3) nonviolent dispute resolution; and

2-7 (4) proper storage practices for handguns with an
2-8 emphasis on storage practices that eliminate the possibility of
2-9 accidental injury to a child.

2-10 (j) For license holders seeking to renew their licenses, the
2-11 [The] department may offer online, or allow a qualified handgun
2-12 instructor to offer online, the classroom instruction part of the
2-13 handgun proficiency [~~continuing education instruction~~] course and
2-14 the written section of the proficiency examination [~~required to~~
2-15 ~~renew a license~~].

2-16 SECTION 3. Subsection (c), Section 411.188, Government
2-17 Code, is repealed.

2-18 SECTION 4. The change in law made by this Act applies only
2-19 to an application to obtain or renew a license to carry a concealed
2-20 handgun submitted on or after the effective date of this Act. An
2-21 application submitted before the effective date of this Act is
2-22 governed by the law in effect when the application was submitted,
2-23 and the former law is continued in effect for that purpose.

2-24 SECTION 5. This Act takes effect September 1, 2013.

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