

By: White of Tyler

H.B. No. 216

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of a person for a license to carry a
concealed handgun.

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

SECTION 1. Sections 411.172(a) and (h), Government Code,
are amended to read as follows:

(a) A person is eligible for a license to carry a concealed
handgun if the person:

(1) is a legal resident of this state for the six-month
period preceding the date of application under this subchapter or
is otherwise eligible for a license under Section 411.173(a);

(2) is at least 18 [~~21~~] years of age;

(3) has not been convicted of a felony;

(4) is not charged with the commission of a Class A or
Class B misdemeanor or equivalent offense, or of an offense under
Section 42.01, Penal Code, or equivalent offense, or of a felony
under an information or indictment;

(5) is not a fugitive from justice for a felony or a
Class A or Class B misdemeanor or equivalent offense;

(6) is not a chemically dependent person;

(7) is not incapable of exercising sound judgment with
respect to the proper use and storage of a handgun;

(8) has not, in the five years preceding the date of
application, been convicted of a Class A or Class B misdemeanor or

1 equivalent offense or of an offense under Section 42.01, Penal
2 Code, or equivalent offense;

3 (9) is fully qualified under applicable federal and
4 state law to purchase a handgun;

5 (10) has not been finally determined to be delinquent
6 in making a child support payment administered or collected by the
7 attorney general;

8 (11) has not been finally determined to be delinquent
9 in the payment of a tax or other money collected by the comptroller,
10 the tax collector of a political subdivision of the state, or any
11 agency or subdivision of the state;

12 (12) is not currently restricted under a court
13 protective order or subject to a restraining order affecting the
14 spousal relationship, other than a restraining order solely
15 affecting property interests;

16 (13) has not, in the 10 years preceding the date of
17 application, been adjudicated as having engaged in delinquent
18 conduct violating a penal law of the grade of felony; and

19 (14) has not made any material misrepresentation, or
20 failed to disclose any material fact, in an application submitted
21 pursuant to Section 411.174.

22 (h) The issuance of a license to carry a concealed handgun
23 to a person who is at least 18 years of age but not yet 21 years of
24 age [~~eligible under Subsection (g)~~] does not affect the person's
25 ability to purchase a handgun or ammunition under federal law.

26 SECTION 2. Section 411.172(g), Government Code, is
27 repealed.

1 SECTION 3. The change in law made by this Act applies only
2 to an application to obtain or renew a license to carry a concealed
3 handgun submitted on or after the effective date of this Act. An
4 application submitted before the effective date of this Act is
5 governed by the law in effect when the application was submitted,
6 and the former law is continued in effect for that purpose.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2015.