

By: Dale, Phillips, Moody

H.B. No. 2604

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a concealed handgun license application that is
3 submitted by a peace officer or a member of the state military
4 forces.

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

6 SECTION 1. Section [411.1991](#), Government Code, is amended by
7 amending Subsections (a) and (b) and adding Subsections (a-1) and
8 (a-2) to read as follows:

9 (a) A person who is licensed as a peace officer under
10 Chapter 1701, Occupations Code, and ~~[is]~~ employed as a peace
11 officer by a law enforcement agency, or who is a member of the Texas
12 military forces, excluding Texas State Guard members who are
13 serving in the Texas Legislature, may apply for a license under this
14 subchapter.

15 (a-1) An applicant who is a peace officer ~~[The person]~~ shall
16 submit to the department ~~[two complete sets of legible and~~
17 ~~classifiable fingerprints and a sworn statement of the head of the~~
18 ~~law enforcement agency employing the applicant. A head of a law~~
19 ~~enforcement agency may not refuse to issue a statement under this~~
20 ~~subsection. If the applicant alleges that the statement is untrue,~~
21 ~~the department shall investigate the validity of the statement. The~~
22 ~~statement must include]:~~

- 23 (1) the name and rank of the applicant; and
24 (2) a current copy of the applicant's peace officer

1 license and evidence of employment as a peace officer [~~whether the~~
2 ~~applicant has been accused of misconduct at any time during the~~
3 ~~applicant's period of employment with the agency and the~~
4 ~~disposition of that accusation,~~

5 ~~[(3) a description of the physical and mental~~
6 ~~condition of the applicant,~~

7 ~~[(4) a list of the types of weapons the applicant has~~
8 ~~demonstrated proficiency with during the preceding year; and~~

9 ~~[(5) a recommendation from the agency head that a~~
10 ~~license be issued to the person under this subchapter].~~

11 (a-2) The department shall adopt rules regarding the
12 information required to be included in an application submitted by
13 a member of the Texas military forces under this section.

14 (b) The department may issue a license under this subchapter
15 to an applicant under this section if the [~~statement from the head~~
16 ~~of the law enforcement agency employing the]~~ applicant complies
17 with Subsection (a-1) or rules adopted under Subsection (a-2), as
18 applicable [~~(a) and indicates that the applicant is qualified and~~
19 ~~physically and mentally fit to carry a handgun].~~

20 SECTION 2. The change in law made by this Act applies only
21 to an application for a license to carry a concealed handgun that is
22 submitted to the Department of Public Safety on or after the
23 effective date of this Act.

24 SECTION 3. This Act takes effect September 1, 2015.