

By: King of Parker

H.B. No. 2318

A BILL TO BE ENTITLED

1 AN ACT

2 relating to requirements for certain applicants to obtain an
3 original, duplicate, modified, or renewed license to carry a
4 handgun; waiving certain fees.

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

6 SECTION 1. Section 411.175, Government Code, is amended to
7 read as follows:

8 Sec. 411.175. PROCEDURES FOR SUBMITTING FINGERPRINTS. The
9 department shall establish procedures for the submission of legible
10 and classifiable fingerprints by an applicant for a license under
11 this subchapter who:

12 (1) is required to submit those fingerprints to the
13 department, including an applicant under Section 411.199, 411.1992
14 [~~411.1991~~], or 411.201; and

15 (2) resides in a county having a population of 46,000
16 or less and does not reside within a 25-mile radius of a facility
17 with the capability to process digital or electronic fingerprints.

18 SECTION 2. Section 411.199, Government Code, is amended by
19 amending Subsections (c), (d), and (f) and adding Subsections
20 (c-1), (c-2), and (c-3) to read as follows:

21 (c) The department may issue a license under this subchapter
22 to an applicant under this section if the applicant is honorably
23 retired and physically and emotionally fit to possess a handgun.

24 (c-1) For purposes of [In] this section [subsection],

1 "honorably retired" means the applicant:

2 (1) did not retire in lieu of any disciplinary action;

3 (2) was eligible to retire from the law enforcement
4 agency or was ineligible to retire only as a result of an injury
5 received in the course of the applicant's employment with the
6 agency; and

7 (3) is entitled to receive a pension or annuity for
8 service as a law enforcement officer or is not entitled to receive a
9 pension or annuity only because the law enforcement agency that
10 employed the applicant does not offer a pension or annuity to its
11 employees.

12 (c-2) Notwithstanding any other law, an applicant under
13 this section who is an honorably retired peace officer described by
14 Subsection (a) must meet all other requirements of this subchapter,
15 except that the applicant is not required to complete the classroom
16 instruction part of the handgun proficiency course described by
17 Section 411.188.

18 (c-3) Notwithstanding any other law, an applicant under
19 this section who holds a certificate of proficiency under Section
20 1701.357, Occupations Code, is not required to complete the range
21 instruction part of the handgun proficiency course described by
22 Section 411.188.

23 (d) Notwithstanding any other provision of this subchapter,
24 the department shall waive any fee required for the issuance of an
25 original, duplicate, modified, or renewed license under this
26 subchapter for an [An] applicant under this section [~~must pay a fee~~
27 of \$25 for a license issued under this subchapter].

1 (f) A license issued to an applicant under this section
2 expires as provided by Section 411.183.

3 SECTION 3. Sections 411.1991(a), (b), (c), and (d),
4 Government Code, are amended to read as follows:

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

10 (b) The department may issue a license under this subchapter
11 to an applicant under this section if the applicant complies with
12 Subsection (a-1) and meets all other requirements of this
13 subchapter, except that the applicant is not required to complete
14 the handgun proficiency course described by Section 411.188 [~~or~~
15 ~~rules adopted under Subsection (a-2), as applicable~~].

16 (c) Notwithstanding any other provision of this subchapter,
17 the department shall waive any fee required for the issuance of an
18 original, duplicate, modified, or renewed license under this
19 subchapter for an [An] applicant under this section [~~shall pay a fee~~
20 ~~of \$25 for a license issued under this subchapter~~].

21 (d) A license issued to an applicant under this section
22 expires as provided by Section 411.183.

23 SECTION 4. Section 411.1992, Government Code, is amended by
24 amending Subsections (d) and (f) and adding Subsection (e-1) to
25 read as follows:

26 (d) Notwithstanding any other provision of this subchapter,
27 the department shall waive any fee required for the issuance of an

1 original, duplicate, modified, or renewed license under this
2 subchapter for an [An] applicant under this section [~~must pay a fee~~
3 ~~of \$25 for a license issued under this subchapter]~~.

4 (e-1) Notwithstanding any other law, an applicant under
5 this section must meet all other requirements of this subchapter,
6 except that the applicant is not required to complete the handgun
7 proficiency course described by Section 411.188.

8 (f) A license issued to an applicant under this section
9 expires as provided by Section 411.183.

10 SECTION 5. Subchapter H, Chapter 411, Government Code, is
11 amended by adding Section 411.1993 to read as follows:

12 Sec. 411.1993. CERTAIN MEMBERS OF TEXAS MILITARY FORCES.

13 (a) A person who is a member of the Texas military forces, other
14 than a member of the Texas State Guard who is serving in the Texas
15 Legislature, may apply for a license under this subchapter.

16 (b) The department shall adopt rules regarding the
17 information required to be included in an application submitted
18 under this section.

19 (c) The department may issue a license under this subchapter
20 to an applicant under this section if the applicant complies with
21 rules adopted under Subsection (b).

22 (d) An applicant under this section shall pay a fee of \$25
23 for a license issued under this subchapter.

24 (e) A license issued to an applicant under this section
25 expires as provided by Section 411.183.

26 SECTION 6. Section 411.1991(a-2), Government Code, is
27 repealed.

1 SECTION 7. The change in law made by this Act applies only
2 to an application that is made to obtain an original, duplicate,
3 modified, or renewed license to carry a handgun and submitted on or
4 after the effective date of this Act. An application described by
5 this section that is submitted before the effective date of this Act
6 is governed by the law in effect when the application was submitted,
7 and the former law is continued in effect for that purpose.

8 SECTION 8. This Act takes effect September 1, 2017.