

By: Phelan

H.B. No. 2772

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requirements for peace officers to obtain an original,
3 duplicate, modified, or renewed license to carry a handgun; waiving
4 a fee.

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[
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 411.1881(a), Government Code, is amended
19 to read as follows:

20 (a) Notwithstanding any other provision of this subchapter,
21 a person may not be required to complete the range instruction
22 portion of a handgun proficiency course to obtain a license issued
23 under this subchapter if the person is licensed as a peace officer
24 under Chapter 1701, Occupations Code, and currently employed as a

1 peace officer by a law enforcement agency or:

2 (1) is currently serving in or is honorably discharged
3 from:

4 (A) the army, navy, air force, coast guard, or
5 marine corps of the United States or an auxiliary service or reserve
6 unit of one of those branches of the armed forces; or

7 (B) the Texas military forces, as defined by
8 Section 437.001; and

9 (2) has, within the five years preceding the date of
10 the person's application for the license, completed a course of
11 training in handgun proficiency or familiarization as part of the
12 person's service with the armed forces or Texas military forces.

13 SECTION 3. Subchapter H, Chapter 411, Government Code, is
14 amended by amending Section 411.1991 and adding Section 411.1993 to
15 read as follows:

16 Sec. 411.1991. PEACE OFFICERS. (a) A person who is
17 licensed as a peace officer under Chapter 1701, Occupations Code,
18 and employed as a peace officer by a law enforcement agency[~~, or who~~
19 ~~is a member of the Texas military forces, excluding Texas State~~
20 ~~Guard members who are serving in the Texas Legislature,~~] may apply
21 for a license under this subchapter.

22 (b) [~~(a-1)~~] An applicant who is a peace officer shall submit
23 to the department:

24 (1) the name and rank of the applicant; and

25 (2) a current copy of the applicant's peace officer
26 license and evidence of employment as a peace officer.

27 (c) The department may issue a license under this subchapter

1 to an applicant under this section only if the applicant complies
2 with Subsection (b).

3 (d) The department shall waive any fee required for the
4 issuance of an original, duplicate, modified, or renewed license
5 under this subchapter for an applicant under this section.

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

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

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

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

15 (c) [~~(b)~~] The department may issue a license under this
16 subchapter to an applicant under this section only if the applicant
17 complies with the [~~Subsection (a-1) or~~] rules adopted under
18 Subsection (b) [~~(a-2)~~, as applicable].

19 (d) [~~(c)~~] An applicant under this section shall pay a fee of
20 \$25 for a license issued under this subchapter.

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

23 SECTION 4. The change in law made by this Act applies only
24 to an application that is made to obtain an original, duplicate,
25 modified, or renewed license to carry a handgun and submitted on or
26 after the effective date of this Act. An application described by
27 this section that is submitted before the effective date of this Act

H.B. No. 2772

1 is governed by the law in effect when the application was submitted,
2 and the former law is continued in effect for that purpose.

3 SECTION 5. This Act takes effect September 1, 2017.