

By: Nichols, et al.

S.B. No. 16

A BILL TO BE ENTITLED

1 AN ACT
2 relating to decreasing the fee for the issuance of an original or
3 renewed license to carry a handgun.

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

5 SECTION 1. Section 411.174(a), Government Code, is amended
6 to read as follows:

7 (a) An applicant for a license to carry a handgun must
8 submit to the director's designee described by Section 411.176:

9 (1) a completed application on a form provided by the
10 department that requires only the information listed in Subsection
11 (b);

12 (2) one or more photographs of the applicant that meet
13 the requirements of the department;

14 (3) a certified copy of the applicant's birth
15 certificate or certified proof of age;

16 (4) proof of residency in this state;

17 (5) two complete sets of legible and classifiable
18 fingerprints of the applicant taken by a person appropriately
19 trained in recording fingerprints who is employed by a law
20 enforcement agency or by a private entity designated by a law
21 enforcement agency as an entity qualified to take fingerprints of
22 an applicant for a license under this subchapter;

23 (6) a nonrefundable application and license fee of \$40
24 [~~\$140~~] paid to the department;

1 (7) evidence of handgun proficiency, in the form and
2 manner required by the department;

3 (8) an affidavit signed by the applicant stating that
4 the applicant:

5 (A) has read and understands each provision of
6 this subchapter that creates an offense under the laws of this state
7 and each provision of the laws of this state related to use of
8 deadly force; and

9 (B) fulfills all the eligibility requirements
10 listed under Section 411.172; and

11 (9) a form executed by the applicant that authorizes
12 the director to make an inquiry into any noncriminal history
13 records that are necessary to determine the applicant's eligibility
14 for a license under Section 411.172(a).

15 SECTION 2. Sections 411.185(a) and (b), Government Code,
16 are amended to read as follows:

17 (a) To renew a license, a license holder must, on or before
18 the date the license expires, submit to the department by mail or,
19 in accordance with the procedure adopted under Subsection (f), on
20 the Internet:

21 (1) a renewal application on a form provided by the
22 department;

23 (2) payment of a nonrefundable renewal fee of \$40 [~~as~~
24 ~~set by the department~~]; and

25 (3) the informational form described by Subsection (c)
26 signed or electronically acknowledged by the applicant.

27 (b) The director by rule shall adopt a renewal application

1 form requiring an update of the information on the original
2 completed application. [~~The director by rule shall set the renewal~~
3 ~~fee in an amount that is sufficient to cover the actual cost to the~~
4 ~~department to.~~

5 [~~(1) verify the information contained in the renewal~~
6 ~~application form,~~

7 [~~(2) conduct any necessary investigation concerning~~
8 ~~the license holder's continued eligibility to hold a license, and~~

9 [~~(3) issue the renewed license.~~]

10 SECTION 3. Section [411.190\(c\)](#), Government Code, is amended
11 to read as follows:

12 (c) In the manner applicable to a person who applies for a
13 license to carry a handgun, the department shall conduct a
14 background check of a person who applies for certification as a
15 qualified handgun instructor. If the background check indicates
16 that the applicant for certification would not qualify to receive a
17 handgun license, the department may not certify the applicant as a
18 qualified handgun instructor. If the background check indicates
19 that the applicant for certification would qualify to receive a
20 handgun license, the department shall provide handgun instructor
21 training to the applicant. The applicant shall pay a fee of \$100 to
22 the department for the training. The applicant must take and
23 successfully complete the training offered by the department and
24 pay the training fee before the department may certify the
25 applicant as a qualified handgun instructor. The department shall
26 issue a license to carry a handgun under the authority of this
27 subchapter to any person who is certified as a qualified handgun

1 instructor and who pays to the department a fee of \$40 [~~\$100~~] in
2 addition to the training fee. The department by rule may prorate or
3 waive the training fee for an employee of another governmental
4 entity.

5 SECTION 4. The heading to Section 411.194, Government Code,
6 is amended to read as follows:

7 Sec. 411.194. REDUCTION OF CERTAIN FEES DUE TO INDIGENCY.

8 SECTION 5. Section 411.194(a), Government Code, is amended
9 to read as follows:

10 (a) Notwithstanding any other provision of this subchapter,
11 if the department determines that an applicant is indigent, the
12 department shall reduce by:

13 (1) 50 percent any fee required for the issuance of a
14 [~~an original,~~] duplicate or [~~7~~] modified [~~7~~, or renewed] license under
15 this subchapter; and

16 (2) \$5 any fee required for the issuance of a renewed
17 license under this subchapter [~~if the department determines that~~
18 ~~the applicant is indigent~~].

19 SECTION 6. Section 411.195, Government Code, is amended to
20 read as follows:

21 Sec. 411.195. REDUCTION OF CERTAIN FEES FOR SENIOR
22 CITIZENS. Notwithstanding any other provision of this subchapter,
23 if an applicant for the license is 60 years of age or older, the
24 department shall reduce by:

25 (1) 50 percent any fee required for the issuance of a
26 [~~an original,~~] duplicate or [~~7~~] modified [~~7~~, or renewed] license under
27 this subchapter; and

1 (2) \$5 any fee required for the issuance of a renewed
2 license under this subchapter [~~if the applicant for the license is~~
3 ~~60 years of age or older~~].

4 SECTION 7. Section 411.201(d), Government Code, is amended
5 to read as follows:

6 (d) An applicant for a license who is an active or retired
7 judicial officer must submit to the department:

8 (1) a completed application, including all required
9 affidavits, on a form prescribed by the department;

10 (2) one or more photographs of the applicant that meet
11 the requirements of the department;

12 (3) two complete sets of legible and classifiable
13 fingerprints of the applicant, including one set taken by a person
14 employed by a law enforcement agency who is appropriately trained
15 in recording fingerprints;

16 (4) evidence of handgun proficiency, in the form and
17 manner required by the department for an applicant under this
18 section;

19 (5) a nonrefundable application and license fee of \$25
20 [~~set by the department in an amount reasonably designed to cover the~~
21 ~~administrative costs associated with issuance of a license to carry~~
22 ~~a handgun under this subchapter~~]; and

23 (6) if the applicant is a retired judicial officer, a
24 form executed by the applicant that authorizes the department to
25 make an inquiry into any noncriminal history records that are
26 necessary to determine the applicant's eligibility for a license
27 under this subchapter.

1 SECTION 8. The change in law made by this Act applies only
2 to an applicant for an original or renewed license to carry a
3 handgun under Subchapter H, Chapter [411](#), Government Code, as
4 amended by this Act, who submits the application on or after the
5 effective date of this Act.

6 SECTION 9. This Act takes effect September 1, 2017.