

BILL ANALYSIS

Senate Research Center
86R18954 TSS-F

H.B. 4428
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4428 provides that the license to carry a handgun of a non-U.S. citizen must expire on the day their lawful presence in the United States expires (i.e, the expiration date of their work visa).

If the person is granted an extension of their lawful presence in the United States they can apply to the Department of Public Safety of the State of Texas for a duplicate license that extends their license to carry to the new legal presence date.

H.B. 4428 passed the House 112–25.

H.B. 4428 amends current law relating to the application for and expiration of a license to carry a handgun.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 411.1741(a) and (b), as follows:

(a) Authorizes a person, when the person applies for an original or renewal license to carry a handgun under this subchapter (License to Carry a Handgun), rather than an original or renewal license to carry a concealed handgun under this subchapter, to make a voluntary contribution in any amount to the fund for veterans' assistance established by Section 434.017 (Fund For Veterans' Assistance).

(b) Makes conforming changes to this subsection.

SECTION 2. Amends the heading to Section 411.181, Government Code, to read as follows:

Sec. 411.181. NOTICE OF CHANGE OF INFORMATION; DUPLICATE LICENSE.

SECTION 3. Amends Section 411.181, Government Code, by adding Subsection (a-1), as follows:

(a-1) Authorizes a license holder whose license will expire under Section 411.183(a)(1)(B) or (b)(1)(B), if the license holder is granted an extension for the license holder's lawful presence in the United States as determined by the United States agency responsible for citizenship and immigration in compliance with federal law, to apply to the Department of Public Safety of the State of Texas (DPS) for a duplicate license with an updated expiration date by providing to DPS the person's license number and evidence of the extension. Requires the duplicate license to provide for an expiration date, calculated in accordance with Section 411.183(a) or (b), as applicable, that takes into account the extension of the period for which the license holder is authorized to be lawfully present in the United States.

SECTION 4. Amends Sections 411.183(a), (b), and (c), Government Code, as follows:

(a) Provides that a license issued under this subchapter expires on:

(1) the earlier of:

(A) creates this paragraph from existing text of Subsection (a) and makes a nonsubstantive change; or

(B) the expiration of the license holder's lawful presence in the United States as determined by the United States agency responsible for citizenship and immigration in compliance with federal law; or

(2) the first anniversary of the date of issuance, if there is no definite expiration date for the applicant's lawful presence in the United States.

(b) Provides that a renewed license expires on:

(1) the earlier of:

(A) creates this paragraph from existing text of Subsection (b) and makes a nonsubstantive change; or

(B) the expiration of the license holder's lawful presence in the United States as determined by the United States agency responsible for citizenship and immigration in compliance with federal law; or

(2) the first anniversary of the date of renewal, if there is no definite expiration date for the applicant's lawful presence in the United States.

(c) Provides that, except as otherwise provided by Section 411.181(a-1), a duplicate license expires on the date the license that was duplicated would have expired.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2019.