86R11188 JSC-D

By:  Dean H.B. No. 3706

A BILL TO BE ENTITLED

AN ACT

relating to a license to carry a handgun for active and retired railroad peace officers and special cattle rangers; authorizing a fee.

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

SECTION 1.  Subchapter H, Chapter 411, Government Code, is amended by adding Sections 411.1995 and 411.1996 to read as follows:

Sec. 411.1995.  ACTIVE RAILROAD PEACE OFFICERS AND SPECIAL CATTLE RANGERS. (a) In this section:

(1)  "Railroad peace officer" means an officer appointed by the director of the department under Article 2.121, Code of Criminal Procedure, who holds a certificate of authority issued by the director under that article and a railroad peace officer license issued by the Texas Commission on Law Enforcement.

(2)  "Special cattle ranger" means a special ranger appointed by the director of the department under Article 2.125, Code of Criminal Procedure, who holds a certificate of authority issued by the director under that article and a special ranger license issued by the Texas Commission on Law Enforcement.

(b)  A person who is employed as a railroad peace officer or special cattle ranger may apply for a license to carry a handgun under this subchapter.

(c)  An applicant shall submit to the department:

(1)  the name of the applicant;

(2)  a current copy of the applicant's railroad peace officer license or special ranger license, as applicable; and

(3)  evidence of employment as a railroad peace officer or special cattle ranger, as applicable.

(d)  An applicant under this section who complies with Subsection (c) and the other requirements of this subchapter is not required to complete the handgun proficiency course described by Section 411.188 to obtain a license under this subchapter.

(e)  The department shall waive any fee required for a license issued under this subchapter to an applicant under this section.

(f)  A license issued under this section expires as provided by Section 411.183.

Sec. 411.1996.  RETIRED RAILROAD PEACE OFFICERS AND SPECIAL CATTLE RANGERS. (a) In this section, "railroad peace officer" and "special cattle ranger" have the meanings assigned by Section 411.1995.

(b)  For purposes of this section, a person is considered to be honorably retired from service as a railroad peace officer or special cattle ranger if the person did not retire in lieu of disciplinary action and:

(1)  retired after not less than a total of 15 years of service; or

(2)  separated from service after a period of less than 15 years as a result of an injury received in the course of the applicant's employment.

(c)  The person shall submit two complete sets of legible and classifiable fingerprints and a sworn statement from the applicant's former employer. The applicant's former employer may not refuse to issue a statement under this subsection. If the applicant alleges that the statement is untrue, the department shall investigate the validity of the statement. The statement must include:

(1)  the name of the applicant;

(2)  the status of the applicant before retirement;

(3)  whether or not the applicant was accused of misconduct at the time of the retirement;

(4)  the physical and mental condition of the applicant;

(5)  the type of weapons the applicant had demonstrated proficiency with during the last year of employment; and

(6)  a recommendation from the employer regarding the issuance of a license under this subchapter.

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

(e)  An applicant under this section must pay a fee of $25 for a license issued under this subchapter.

(f)  A license issued under this section expires as provided by Section 411.183.

SECTION 2.  Section 411.175, Government Code, is amended to correct a cross-reference and is further amended to read as follows:

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

(1)  is required to submit those fingerprints to the department, including an applicant under Section 411.199, 411.1996, [~~411.1991,~~] or 411.201; and

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

SECTION 3.  This Act takes effect September 1, 2019.