86R13029 JRR-D

By:  Calanni H.B. No. 4017

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility for a handgun license of a person who is identified as a member of a criminal street gang.

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

SECTION 1.  Section 411.172(a), Government Code, is amended to read as follows:

(a)  A person is eligible for a license to carry a handgun if the person:

(1)  is a legal resident of this state for the six-month period preceding the date of application under this subchapter or is otherwise eligible for a license under Section 411.173(a);

(2)  is at least 21 years of age;

(3)  has not been convicted of a felony;

(4)  is not charged with the commission of a Class A or Class B misdemeanor or equivalent offense, or of an offense under Section 42.01, Penal Code, or equivalent offense, or of a felony under an information or indictment;

(5)  is not a fugitive from justice for a felony or a Class A or Class B misdemeanor or equivalent offense;

(6)  is not a chemically dependent person;

(7)  is not incapable of exercising sound judgment with respect to the proper use and storage of a handgun;

(8)  has not, in the five years preceding the date of application, been convicted of a Class A or Class B misdemeanor or equivalent offense or of an offense under Section 42.01, Penal Code, or equivalent offense;

(9)  is fully qualified under applicable federal and state law to purchase a handgun;

(10)  has not been finally determined to be delinquent in making a child support payment administered or collected by the attorney general;

(11)  has not been finally determined to be delinquent in the payment of a tax or other money collected by the comptroller, the tax collector of a political subdivision of the state, or any agency or subdivision of the state;

(12)  is not currently restricted under a court protective order or subject to a restraining order affecting the spousal relationship, other than a restraining order solely affecting property interests;

(13)  has not, in the 10 years preceding the date of application, been adjudicated as having engaged in delinquent conduct violating a penal law of the grade of felony; [~~and~~]

(14)  has not made any material misrepresentation, or failed to disclose any material fact, in an application submitted pursuant to Section 411.174; and

(15)  is not identified as a member of a criminal street gang in an intelligence database established under Chapter 67, Code of Criminal Procedure.

SECTION 2.  The change in law made by this Act applies only to an application for the issuance or renewal of a license that is submitted to the Department of Public Safety on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

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