

By: Burns

H.B. No. 2137

Substitute the following for H.B. No. 2137:

By: Lang

C.S.H.B. No. 2137

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to an application made by certain retired state and  
3 federal officers to obtain a license to carry a handgun; waiving a  
4 fee.

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

6 SECTION 1. Section [411.199](#), Government Code, is amended by  
7 amending Subsections (b), (d), (f), and (g) and adding Subsections  
8 (e) and (e-1) to read as follows:

9 (b) The person shall submit two complete sets of legible and  
10 classifiable fingerprints and a sworn statement from the head of  
11 the law enforcement agency employing the applicant. A head of a law  
12 enforcement agency may not refuse to issue a statement under this  
13 subsection. If the applicant alleges that the statement is untrue,  
14 the department shall investigate the validity of the statement.  
15 The statement must include:

- 16 (1) the name and rank of the applicant;
- 17 (2) the status of the applicant before retirement;
- 18 (3) whether or not the applicant was accused of  
19 misconduct at the time of the retirement;
- 20 (4) the physical and mental condition of the  
21 applicant;
- 22 (5) the type of weapons the applicant had demonstrated  
23 proficiency with during the last year of employment;
- 24 (6) whether the applicant would be eligible for

1 reemployment with the agency, and if not, the reasons the applicant  
2 is not eligible; ~~and]~~

3 (7) a recommendation from the agency head regarding  
4 the issuance of a license under this subchapter; and

5 (8) whether the applicant holds a current certificate  
6 of proficiency under Section 1701.357, Occupations Code.

7 (d) The department shall waive any fee required ~~[An~~  
8 ~~applicant under this section must pay a fee of \$25]~~ for a license  
9 issued under this subchapter to an applicant under this section.

10 (e) An applicant under this section who complies with  
11 Subsections (b) and (c) or Subsection (g), as applicable, and with  
12 the other requirements of this subchapter is not required to  
13 complete the classroom instruction portion of the handgun  
14 proficiency course described by Section 411.188 to obtain a license  
15 under this subchapter.

16 (e-1) An applicant described by Subsection (e) who holds a  
17 current certificate of proficiency under Section 1701.357,  
18 Occupations Code, is not required to complete the range instruction  
19 portion of the handgun proficiency course described by Section  
20 411.188 to obtain a license under this subchapter.

21 (f) A license issued under this subchapter to an applicant  
22 under this section expires as provided by Section 411.183.

23 (g) A retired officer of the United States who was eligible  
24 to carry a firearm in the discharge of the officer's official duties  
25 is eligible to apply under this section for a license issued under  
26 this subchapter ~~[section]~~. An applicant described by this  
27 subsection may submit the application at any time after retirement.

1 The applicant shall submit with the application proper proof of  
2 retired status by presenting the following documents prepared by  
3 the agency from which the applicant retired:

4 (1) retirement credentials; and

5 (2) a letter from the agency head stating the  
6 applicant retired in good standing.

7 SECTION 2. Section [411.199](#), Government Code, as amended by  
8 this Act, applies only to an application for a license to carry a  
9 handgun submitted on or after the effective date of this Act. An  
10 application submitted before the effective date of this Act is  
11 governed by the law in effect on the date the application was  
12 submitted, and the former law is continued in effect for that  
13 purpose.

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