

By: Calanni

H.B. No. 4017

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the eligibility for a handgun license of a person who is
3 identified as a member of a criminal street gang.

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

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

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

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

12 (2) is at least 21 years of age;

13 (3) has not been convicted of a felony;

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

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

20 (6) is not a chemically dependent person;

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

23 (8) has not, in the five years preceding the date of
24 application, been convicted of a Class A or Class B misdemeanor or

1 equivalent offense or of an offense under Section 42.01, Penal
2 Code, or equivalent offense;

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

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

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

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

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

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

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

25 SECTION 2. The change in law made by this Act applies only
26 to an application for the issuance or renewal of a license that is
27 submitted to the Department of Public Safety on or after the

1 effective date of this Act. An application submitted before the
2 effective date of this Act is governed by the law in effect on the
3 date the application was submitted, and the former law is continued
4 in effect for that purpose.

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