

**House Bill 2137**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 411.183, Government Code, is amended by adding Subsection (e) to read as follows:

(e) Notwithstanding any other provision of this section, a license issued to an applicant under Section 411.199 does not expire.

SECTION 2. Section 411.199, Government Code, is amended by amending Subsections (b), (d), (f), and (g) and adding Subsections (e) and (e-1) to read as follows:

(b) The person shall submit two complete sets of legible and classifiable fingerprints and a sworn statement from the head of the law enforcement agency employing the applicant. A head of a law enforcement agency 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 and rank 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;
- (6) whether the applicant would be eligible for reemployment with the agency, and if not, the reasons the applicant is not eligible; ~~and~~
- (7) a recommendation from the agency head regarding the issuance of a license under this subchapter; and
- (8) whether the applicant holds a current certificate of proficiency under Section 1701.357, Occupations Code.

SENATE VERSION (CS)

No equivalent provision.

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

(b) The person shall submit two complete sets of legible and classifiable fingerprints and a sworn statement from the head of the law enforcement agency employing the applicant. A head of a law enforcement agency 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 and rank 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;
- (6) whether the applicant would be eligible for reemployment with the agency, and if not, the reasons the applicant is not eligible; ~~and~~
- (7) a recommendation from the agency head regarding the issuance of a license under this subchapter; and
- (8) whether the applicant holds a current certificate of proficiency under Section 1701.357, Occupations Code.

CONFERENCE

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

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

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

(f) A license issued under this subchapter to an applicant under this section ~~does not expire, [expires]~~ as provided by Section 411.183(e) [411.183].

(g) A retired officer of the United States who was eligible to carry a firearm in the discharge of the officer's official duties is eligible to apply under this section for a license issued under this ~~subchapter~~ [section]. An applicant described by this subsection may submit the application at any time after retirement. The applicant shall submit with the application proper proof of retired status by presenting the following documents prepared by the agency from which the applicant retired:

- (1) retirement credentials; and
- (2) a letter from the agency head stating the applicant retired in good standing.

SENATE VERSION (CS)

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

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

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

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

(g) A retired officer of the United States who was eligible to carry a firearm in the discharge of the officer's official duties is eligible to apply under this section for a license issued under this ~~subchapter~~ [section]. An applicant described by this subsection may submit the application at any time after retirement. The applicant shall submit with the application proper proof of retired status by presenting the following documents prepared by the agency from which the applicant retired:

- (1) retirement credentials; and
- (2) a letter from the agency head stating the applicant retired in good standing.

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SECTION 3. Section 411.199, Government Code, as amended by this Act, applies only to an application for a license to carry a handgun submitted 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 4. This Act takes effect September 1, 2019.

SENATE VERSION (CS)

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE