

BILL ANALYSIS

H.B. 918
By: Leman
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Every year, thousands of Texans fall victim to family violence, and in state fiscal year 2020 alone, there were nearly 8,500 protective orders issued. While these protective orders are a great first step in stopping further violence or abuse, victims often find themselves seeking other means of personal protection, including through obtaining a handgun, should the abuser violate the order. Unfortunately, if a victim is under 21 years of age, they cannot legally obtain a license to carry a handgun. H.B. 918 seeks to address this issue by making certain young adults who are protected under certain court orders and who would otherwise be eligible for a handgun license eligible for a handgun license that bears a protective order designation on its face to differentiate it from a regular handgun license.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 918 amends the Government Code to make a person who is at least 18 years of age but not yet 21 years of age eligible for a handgun license if the person meets all other license requirements except the minimum age under federal law to purchase a handgun and is protected under an active protective order or magistrate's order for emergency protection, as applicable, issued with respect to an offense involving family violence or with respect to stalking, compelling prostitution, or certain sexual or trafficking offenses. The bill provides for a protective order designation on a handgun license and restricts a person who establishes license eligibility on this basis to a license that bears that designation on its face.

H.B. 918 requires the person to submit a copy of the applicable court protective order with the materials required for the license application and establishes that a license that bears a protective order designation is valid only until the date on which the applicable court order is rescinded or expires. A license holder with the designation who becomes 21 years of age may apply for a license that does not bear the designation by using the standard license renewal procedure, regardless of whether the license that bears the designation has expired or is about to expire. The bill requires a licensee with the designation who is carrying a handgun on or about the licensee's person to display a copy of the applicable court order when a magistrate or a peace officer demands a display of identification.

EFFECTIVE DATE

September 1, 2021.