

By: Herrero

H.B. No. 3953

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the creation of the open burn pit registry fund and a  
3 voluntary contribution to that fund when applying for a handgun  
4 license.

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

6 SECTION 1. Subchapter H, Chapter 411, Government Code, is  
7 amended by adding Section 411.1742 to read as follows:

8 Sec. 411.1742. VOLUNTARY CONTRIBUTION TO OPEN BURN PIT  
9 REGISTRY FUND. (a) When a person applies for an original or renewal  
10 license to carry a handgun under this subchapter, the person may  
11 make a voluntary contribution in any amount to the open burn pit  
12 registry fund established by Section 99.008, Health and Safety  
13 Code.

14 (b) The department shall:

15 (1) include space on the first page of each  
16 application for an original or renewal license to carry a handgun  
17 that allows a person applying for an original or renewal license to  
18 carry a handgun to indicate the amount that the person is  
19 voluntarily contributing to the fund; and

20 (2) provide an opportunity for the person to  
21 contribute to the fund during the application process for an  
22 original or renewal license to carry a handgun on the department's  
23 Internet website.

24 (c) The department shall send any contribution made under

1 this section to the comptroller for deposit in the state treasury to  
2 the credit of the open burn pit registry fund not later than the  
3 14th day of each month. Before sending the money to the fund, the  
4 department may deduct money equal to the amount of reasonable  
5 expenses for administering this section.

6 SECTION 2. Chapter 99, Health and Safety Code, as added by  
7 Chapter 153 (H.B. 306), Acts of the 86th Legislature, Regular  
8 Session, 2019, is amended by adding Section 99.008 to read as  
9 follows:

10 Sec. 99.008. OPEN BURN PIT REGISTRY FUND. (a) The open burn  
11 pit registry fund is a special fund in the state treasury outside  
12 the general revenue fund. The fund is composed of:

13 (1) money transferred to the fund at the direction of  
14 the legislature;

15 (2) gifts and grants contributed to the fund;

16 (3) the earnings of the fund; and

17 (4) money deposited to the credit of the fund under  
18 Section 411.1742, Government Code.

19 (b) Money in the fund may be appropriated only to the  
20 department. The department may use the money only for the purpose of  
21 creating and maintaining the open burn pit registry established  
22 under Section 99.003, except that the department may use the money  
23 for any other purpose consistent with appropriation if the  
24 department finds that contributions exceed the amount necessary for  
25 adequately funding the open burn pit registry.

26 SECTION 3. As soon as practicable after the effective date  
27 of this Act, the Department of Public Safety shall modify the

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1 application form for a license to carry a handgun to satisfy the  
2 requirement of Section 411.1742, Government Code, as added by this  
3 Act.

4 SECTION 4. This Act takes effect September 1, 2021.