

AN ACT

relating to the demonstration of weapons proficiency by qualified retired law enforcement officers.

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

SECTION 1. Section 1701.357, Occupations Code, is amended by amending Subsections (a) and (c-1) and adding Subsections (b-1), (b-2), (c-2), and (f-1) to read as follows:

(a) In this section:

(1) "Qualified handgun instructor" means a person certified as a qualified handgun instructor under Section 411.190, Government Code.

(2) "Qualified[~~, "qualified~~] retired law enforcement officer" has the meaning assigned by 18 U.S.C. Section 926C.

(b-1) The commission shall issue a certificate of proficiency to a qualified retired law enforcement officer who:

(1) satisfactorily demonstrates weapons proficiency to a qualified handgun instructor under Subsection (b-2);

(2) provides to the commission a sworn affidavit stating that:

(A) the officer meets the requirements for a qualified retired law enforcement officer under 18 U.S.C. Section 926C;

(B) the officer's license as a qualified law enforcement officer was not revoked or suspended for any period

1 during the officer's term of service; and

2 (C) the officer has no psychological or physical
3 disability that would interfere with the officer's proper handling
4 of a handgun; and

5 (3) otherwise satisfies the applicable procedures
6 established by the commission under Subsection (c-1).

7 (b-2) A qualified handgun instructor may allow any
8 qualified retired law enforcement officer an opportunity to
9 demonstrate weapons proficiency if the officer provides to the
10 instructor a copy of the sworn affidavit described by Subsection
11 (b-1)(2).

12 (c-1) The commission shall establish written procedures and
13 forms for qualified handgun instructors regarding the manner in
14 which demonstrations are conducted and the communication of
15 demonstration results to the commission and for the issuance or
16 denial of certificates of proficiency to qualified retired law
17 enforcement officers. The commission shall maintain records of any
18 person who holds a certificate issued under Subsection (b-1).

19 (c-2) For purposes of this section, proof that an individual
20 is a qualified retired law enforcement officer may include a
21 retired peace officer identification card issued under Subchapter
22 H, Chapter 614, Government Code, or other form of identification as
23 described by 18 U.S.C. Section 926C(d).

24 (f-1) A qualified handgun instructor may collect a
25 reasonable fee for the purpose of evaluating a demonstration of
26 weapons proficiency under this section.

27 SECTION 2. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 198 passed the Senate on April 9, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 198 passed the House on May 26, 2021, by the following vote: Yeas 146, Nays 1, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor