

1-1 By: Nelson S.B. No. 198
1-2 (In the Senate - Filed November 16, 2020; March 3, 2021,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 17, 2021, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; March 17, 2021, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-------------------|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | <u>Hughes</u> | X | | |
| 1-9 | <u>Birdwell</u> | X | | |
| 1-10 | <u>Campbell</u> | X | | |
| 1-11 | <u>Hall</u> | X | | |
| 1-12 | <u>Lucio</u> | X | | |
| 1-13 | <u>Nelson</u> | X | | |
| 1-14 | <u>Powell</u> | X | | |
| 1-15 | <u>Schwertner</u> | X | | |
| 1-16 | <u>Zaffirini</u> | X | | |

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the demonstration of weapons proficiency by qualified
1-20 retired law enforcement officers.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 1701.357, Occupations Code, is amended
1-23 by amending Subsections (a) and (c-1) and adding Subsections (b-1),
1-24 (b-2), (c-2), and (f-1) to read as follows:

1-25 (a) In this section:

1-26 (1) "Qualified handgun instructor" means a person
1-27 certified as a qualified handgun instructor under Section 411.190,
1-28 Government Code.

1-29 (2) "Qualified[~~, "qualified~~] retired law enforcement
1-30 officer" has the meaning assigned by 18 U.S.C. Section 926C.

1-31 (b-1) The commission shall issue a certificate of
1-32 proficiency to a qualified retired law enforcement officer who:

1-33 (1) satisfactorily demonstrates weapons proficiency
1-34 to a qualified handgun instructor under Subsection (b-2);

1-35 (2) provides to the commission a sworn affidavit
1-36 stating that:

1-37 (A) the officer meets the requirements for a
1-38 qualified retired law enforcement officer under 18 U.S.C. Section
1-39 926C;

1-40 (B) the officer's license as a qualified law
1-41 enforcement officer was not revoked or suspended for any period
1-42 during the officer's term of service; and

1-43 (C) the officer has no psychological or physical
1-44 disability that would interfere with the officer's proper handling
1-45 of a handgun; and

1-46 (3) otherwise satisfies the applicable procedures
1-47 established by the commission under Subsection (c-1).

1-48 (b-2) A qualified handgun instructor may allow any
1-49 qualified retired law enforcement officer an opportunity to
1-50 demonstrate weapons proficiency if the officer provides to the
1-51 instructor a copy of the sworn affidavit described by Subsection
1-52 (b-1)(2).

1-53 (c-1) The commission shall establish written procedures and
1-54 forms for qualified handgun instructors regarding the manner in
1-55 which demonstrations are conducted and the communication of
1-56 demonstration results to the commission and for the issuance or
1-57 denial of certificates of proficiency to qualified retired law
1-58 enforcement officers. The commission shall maintain records of any
1-59 person who holds a certificate issued under Subsection (b-1).

1-60 (c-2) For purposes of this section, proof that an individual
1-61 is a qualified retired law enforcement officer may include a

2-1 retired peace officer identification card issued under Subchapter
2-2 H, Chapter 614, Government Code, or other form of identification as
2-3 described by 18 U.S.C. Section 926C(d).

2-4 (f-1) A qualified handgun instructor may collect a
2-5 reasonable fee for the purpose of evaluating a demonstration of
2-6 weapons proficiency under this section.

2-7 SECTION 2. This Act takes effect September 1, 2021.

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