

House Bill 918
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 411.172, Government Code, is amended by adding Subsection (i) to read as follows:

(i) Notwithstanding Subsection (a)(2), a person who is at least 18 years of age but not yet 21 years of age is eligible for a license to carry a handgun if the person:

(1) is protected under:

(A) an active protective order issued under:

(i) Title 4, Family Code; or

(ii) Subchapter A, Chapter 7B, Code of Criminal Procedure;
or

(B) an active magistrate's order for emergency protection under Article 17.292, Code of Criminal Procedure; and

(2) meets the other eligibility requirements of Subsection (a) except for the minimum age required by federal law to purchase a handgun.

SECTION 2. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.1735 to read as follows:

Sec. 411.1735. PROTECTIVE ORDER DESIGNATION. (a) Notwithstanding any other provision of this subchapter, a person who establishes eligibility for a license to carry a handgun under Section 411.172(i) may only hold a license under this subchapter that bears a protective order designation on the face of the license.

(b) A person described by this section must submit a copy of the applicable court order described by Section 411.172(i)(1) with the application materials described by Section 411.174. The person's application is not considered complete for purposes of this subchapter unless the application includes the documentation and materials required by this section.

(c) Notwithstanding Section 411.183, a license that bears a

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION 2. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.1735 to read as follows:

Sec. 411.1735. PROTECTIVE ORDER DESIGNATION. (a) Notwithstanding any other provision of this subchapter, a person who establishes eligibility for a license to carry a handgun under Section 411.172(i) may only hold a license under this subchapter that bears a protective order designation on the face of the license.

(b) A person described by this section must submit a copy of the applicable court order described by Section 411.172(i)(1) with the application materials described by Section 411.174. The person's application is not considered complete for purposes of this subchapter unless the application includes the documentation and materials required by this section.

(c) Notwithstanding Section 411.183, a license that bears a

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protective order designation under this section is valid only until the date on which the applicable court order described by Section 411.172(i)(1) is rescinded or expires.

(d) A holder of a license with a protective order designation under this section who becomes 21 years of age may apply for a license under this subchapter that does not bear the designation by using the renewal procedure under Section 411.185, regardless of whether the license that bears the designation has expired or is about to expire.

(e) The director shall adopt rules establishing a process by which the department periodically verifies a license holder's eligibility for a license to carry a handgun under Section 411.172(i) if the license holder's license bears a protective order designation under this section. The rules may specify different intervals at which the department must verify the license holder's eligibility based on the court order used to satisfy the eligibility requirement described by Section 411.172(i)(1).

SECTION 3. Section 411.179(a), Government Code, is amended to read as follows:

(a) The department by rule shall adopt the form of the license. A license must include:

- (1) a number assigned to the license holder by the department;
- (2) a statement of the period for which the license is effective;
- (3) a photograph of the license holder;
- (4) the license holder's full name, date of birth, hair and eye color, height, weight, and signature;

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protective order designation under this section expires on the earlier of:

- (1) the date on which the applicable court order described by Section 411.172(i)(1) is rescinded or expires; or
- (2) the 22nd birthday of the license holder. [FA1]

(d) A holder of a license with a protective order designation under this section who becomes 21 years of age may apply for a license under this subchapter that does not bear the designation by using the renewal procedure under Section 411.185, regardless of whether the license that bears the designation has expired or is about to expire.

(e) The director shall adopt rules establishing a process by which the department periodically verifies a license holder's eligibility for a license to carry a handgun under Section 411.172(i) if the license holder's license bears a protective order designation under this section. The rules may specify different intervals at which the department must verify the license holder's eligibility based on the court order used to satisfy the eligibility requirement described by Section 411.172(i)(1).

SECTION 3. Same as House version.

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- (5) the license holder's residence address or, as provided by Subsection (d), the street address of the courthouse in which the license holder or license holder's spouse serves as a federal judge or the license holder serves as a state judge;
- (6) the number of a driver's license or an identification certificate issued to the license holder by the department;
~~[and]~~
- (7) the designation "VETERAN" if required under Subsection (e); and
- (8) if applicable, a protective order designation under Section 411.1735.

SECTION 4. Section 411.205, Government Code, is amended to read as follows:

Sec. 411.205. REQUIREMENT TO DISPLAY LICENSE. If a license holder is carrying a handgun on or about the license holder's person when a magistrate or a peace officer demands that the license holder display identification, the license holder shall display:

- (1) both the license holder's driver's license or identification certificate issued by the department and the license holder's handgun license; and
- (2) if the license holder's handgun license bears a protective order designation, a copy of the applicable court order under which the license holder is protected.

SECTION 5. The changes in law made by this Act to Subchapter H, Chapter 411, Government Code, apply only to a completed application for a license to carry a handgun that is received by the Department of Public Safety of the State of

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SECTION 4. Same as House version.

SECTION 5. Same as House version.

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Texas on or after the effective date of this Act. A completed application received before the effective date of this Act is governed by the law in effect on the date the application was received, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2021.

SENATE VERSION (IE)

SECTION 6. Same as House version.

CONFERENCE