

BILL ANALYSIS

Senate Research Center

H.B. 1234
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, individuals who are denied a license to carry a handgun based on a medical advisory board panel recommendation do not have a formal opportunity to review or respond to the decision before it is finalized. This lack of transparency and review can result in applicants being denied a license without a fair chance to provide additional information regarding their scenario. H.B. 1234 seeks to address this issue by requiring the Department of Public Safety of the State of Texas to provide a denied applicant with the reason for the denial and a 30-day period for the applicant to provide additional information for use in supplementing or clarifying the application.

H.B. 1234 amends current law relating to certain procedures required for the denial of certain applications for a license to carry a handgun.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter H, Chapter 411, Government Code, by adding Section 411.1765, as follows:

Sec. 411.1765. NOTICE OF CERTAIN DENIALS. (a) Provides that this section applies only to an application for the issuance of an original or renewal license to carry a handgun for which the Department of Public Safety of the State of Texas (DPS) has received an opinion from a panel member of the medical advisory board under Section 12.095 (Board Panels; Powers and Duties), Health and Safety Code, that indicates the applicant may be unable to exercise sound judgment with respect to the proper use and storage of a handgun.

(b) Prohibits DPS from denying an application to which this section applies, unless DPS first provides the applicant with:

(1) a written notice that specifically states the reason DPS is considering denying the application; and

(2) a period of not less than 30 days in which the applicant may provide additional written materials to DPS to supplement or clarify the applicant's application submitted under Subchapter H (License to Carry a Handgun).

(c) Requires DPS to forward any materials received in the period described by Subsection (b)(2) to the entire medical advisory board described by Subsection (a). Requires each panel member, after reviewing the written materials, to submit a written report to DPS stating the panel member's opinion as to the ability of the applicant to exercise sound judgment with respect to the proper use and storage of a handgun.

(d) Requires DPS, after the medical advisory board panel submits the written reports under Subsection (c), to review the application and determine whether to issue an original or renewal license to carry a handgun or to deny the application.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.