

BILL ANALYSIS

H.B. 1234
By: Guillen
Homeland Security, Public Safety & Veterans' Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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 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.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1234 amends the Government Code to prohibit the Department of Public Safety (DPS) from denying an application for the issuance of an original or renewal handgun license based on a recommendation for such denial made to DPS by a medical advisory board panel regarding the applicant's capability of exercising sound judgment with respect to the proper use and storage of a handgun, unless DPS first provides the applicant with the following:

- a written notice that specifically states the reason underlying the recommendation for denial; and
- 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.

H.B. 1234 requires DPS to forward any materials received in the 30-day period to the medical advisory board panel that made the recommendation for denial. The bill requires each panel member, after reviewing the additional written materials, to submit an additional written report to DPS stating the panel member's opinion as to the applicant's ability to exercise sound judgment with respect to the proper use and storage of a handgun. The bill requires DPS to then review the application and determine whether to issue the license or to deny the application.

H.B. 1234 applies only to an application for the issuance of an original or renewal handgun license submitted on or after the bill's effective date. An application submitted before the bill's effective date is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.