

By: Virdell

H.B. No. 2470

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the age at which a person not otherwise prohibited by  
3 state or federal law from possessing a firearm may carry a handgun  
4 or is eligible for a license to carry a handgun.

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

6 SECTION 1. The Legislature of the State of Texas finds that:

7 (1) the Second Amendment of the United States  
8 Constitution protects an individual's right to keep and bear arms,  
9 to possess a firearm unconnected with service in a militia, and to  
10 use that firearm for traditionally lawful purposes, such as  
11 self-defense;

12 (2) Section 23, Article I, of the Texas Constitution  
13 secures for Texas citizens the right to keep and bear arms;

14 (3) the United States District Court for the Northern  
15 District of Texas in *Firearms Policy Coal., Inc. v. McCraw*, 623 F.  
16 Supp. 3d 740 (N.D. Tex. 2022), recognized the right of responsible  
17 individuals aged 18, 19, and 20 to carry a handgun outside the home  
18 for self-defense and found that Texas's statutory scheme and the  
19 prohibition imposed on these individuals under Section 46.02, Penal  
20 Code, and Section 411.172, Government Code, infringed on rights  
21 protected by the Second and Fourteenth Amendments to the United  
22 States Constitution;

23 (4) to ensure clarity in the law and consistency with  
24 constitutional principles, the eligibility criteria for carrying a

1 handgun in Texas without a license and for obtaining a license to  
2 carry a handgun should include responsible individuals aged 18,  
3 19, and 20 who are not otherwise prohibited by state or federal law  
4 from possessing a firearm; and

5 (5) persons who are currently prohibited from  
6 possessing a firearm under state or federal law will not gain the  
7 right to possess or carry a firearm under this legislation.

8 SECTION 2. Section 411.047(b), Government Code, is amended  
9 to read as follows:

10 (b) Such statistics shall be drawn and reported annually  
11 from the Department of Public Safety computerized criminal history  
12 file on persons 18 [~~21~~] years of age and older and shall be compared  
13 in numerical and graphical format to all like offenses committed in  
14 the state for the reporting period as a percentage of the total of  
15 such reported offenses.

16 SECTION 3. Section 411.172(a), Government Code, is amended  
17 to read as follows:

18 (a) A person is eligible for a license to carry a handgun if  
19 the person:

20 (1) is a legal resident of this state for the six-month  
21 period preceding the date of application under this subchapter or  
22 is otherwise eligible for a license under Section 411.173(a);

23 (2) is at least 18 [~~21~~] years of age;

24 (3) has not been convicted of a felony;

25 (4) is not charged with the commission of a Class A or  
26 Class B misdemeanor or equivalent offense, or of an offense under  
27 Section 42.01, Penal Code, or equivalent offense, or of a felony

1 under an information or indictment;

2 (5) is not a fugitive from justice for a felony or a  
3 Class A or Class B misdemeanor or equivalent offense;

4 (6) is not a chemically dependent person;

5 (7) is not incapable of exercising sound judgment with  
6 respect to the proper use and storage of a handgun;

7 (8) has not, in the five years preceding the date of  
8 application, been convicted of a Class A or Class B misdemeanor or  
9 equivalent offense or of an offense under Section 42.01, Penal  
10 Code, or equivalent offense;

11 (9) is fully qualified under applicable federal and  
12 state law to possess [~~purchase~~] a handgun;

13 (10) has not been finally determined to be delinquent  
14 in making a child support payment administered or collected by the  
15 attorney general;

16 (11) has not been finally determined to be delinquent  
17 in the payment of a tax or other money collected by the comptroller,  
18 the tax collector of a political subdivision of the state, or any  
19 agency or subdivision of the state;

20 (12) is not currently restricted under a court  
21 protective order or subject to a restraining order affecting the  
22 spousal relationship, other than a restraining order solely  
23 affecting property interests;

24 (13) has not, in the 10 years preceding the date of  
25 application, been adjudicated as having engaged in delinquent  
26 conduct violating a penal law of the grade of felony; and

27 (14) has not made any material misrepresentation, or

1 failed to disclose any material fact, in an application submitted  
2 pursuant to Section 411.174.

3 SECTION 4. Section 411.179(a), Government Code, is amended  
4 to read as follows:

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

7 (1) a number assigned to the license holder by the  
8 department;

9 (2) a statement of the period for which the license is  
10 effective;

11 (3) a photograph of the license holder;

12 (4) the license holder's full name, date of birth, hair  
13 and eye color, height, weight, and signature;

14 (5) the license holder's residence address or, as  
15 provided by Subsection (d), the street address of the courthouse in  
16 which the license holder or license holder's spouse or parent  
17 serves as a federal judge or the license holder serves as a state  
18 judge;

19 (6) the number of a driver's license or an  
20 identification certificate issued to the license holder by the  
21 department;

22 (7) the designation "VETERAN" if required under  
23 Subsection (e); and

24 (8) any at-risk designation for which the license  
25 holder has established eligibility under Section 411.184[~~, and~~

26 [~~(9) if applicable, a protective order designation~~  
27 ~~under Section 411.1735]~~.

1 SECTION 5. Section 411.205, Government Code, is amended to  
2 read as follows:

3 Sec. 411.205. REQUIREMENT TO DISPLAY LICENSE. If a license  
4 holder is carrying a handgun on or about the license holder's person  
5 when a magistrate or a peace officer demands that the license holder  
6 display identification, the license holder shall display[+]

7 [~~(1)~~] both the license holder's driver's license or  
8 identification certificate issued by the department and the license  
9 holder's handgun license[~~, and~~

10 [~~(2) if the license holder's handgun license bears a~~  
11 ~~protective order designation, a copy of the applicable court order~~  
12 ~~under which the license holder is protected].~~

13 SECTION 6. Sections 46.02(a) and (a-1), Penal Code, are  
14 amended to read as follows:

15 (a) A person commits an offense if the person:

16 (1) intentionally, knowingly, or recklessly carries  
17 on or about his or her person a handgun;

18 (2) at the time of the offense:

19 (A) is younger than 18 [~~21~~] years of age; or

20 (B) has been convicted of an offense under  
21 Section 22.01(a)(1), 22.05, 22.07, or 42.01(a)(7) or (8) committed  
22 in the five-year period preceding the date the instant offense was  
23 committed; and

24 (3) is not:

25 (A) on the person's own premises or premises  
26 under the person's control; or

27 (B) inside of or directly en route to a motor

1 vehicle or watercraft that is owned by the person or under the  
2 person's control.

3 (a-1) A person commits an offense if the person  
4 intentionally, knowingly, or recklessly carries on or about his or  
5 her person a handgun in a motor vehicle or watercraft that is owned  
6 by the person or under the person's control at any time in which:

7 (1) the handgun is in plain view, unless the person is  
8 18 [~~21~~] years of age or older [~~or is licensed to carry a handgun~~  
9 ~~under Subchapter H, Chapter 411, Government Code,~~] and the handgun  
10 is carried in a holster; or

11 (2) the person is:

12 (A) engaged in criminal activity, other than a  
13 Class C misdemeanor that is a violation of a law or ordinance  
14 regulating traffic or boating; or

15 (B) prohibited by law from possessing a firearm.

16 SECTION 7. The following provisions of the Government Code  
17 are repealed:

18 (1) Sections [411.172\(g\)](#), (h), and (i); and

19 (2) Section [411.1735](#).

20 SECTION 8. A handgun license that bears a protective order  
21 designation under former Section [411.1735](#), Government Code, as  
22 repealed by this Act, and that is valid on the effective date of  
23 this Act remains valid until the 22nd birthday of the license  
24 holder, regardless of whether the license holder continues to be  
25 protected under a protective order described by former Section  
26 [411.172\(i\)](#), Government Code, as repealed by this Act. A license  
27 holder described by this section may apply for a handgun license

1 that does not bear the protective order designation by using the  
2 renewal procedure under Section 411.185, Government Code,  
3 regardless of whether the license that bears the designation has  
4 expired or is about to expire.

5 SECTION 9. The changes in law made by this Act apply only to  
6 an offense committed on or after the effective date of this Act. An  
7 offense committed before the effective date of this Act is governed  
8 by the law in effect on the date the offense was committed, and the  
9 former law is continued in effect for that purpose. For purposes of  
10 this section, an offense was committed before the effective date of  
11 this Act if any element of the offense occurred before that date.

12 SECTION 10. This Act takes effect September 1, 2025.