

AN ACT

relating to concealed handgun licenses for members and veterans of the United States armed forces, including a member younger than 21 years of age.

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

SECTION 1. Section 411.172, Government Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) 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 concealed handgun if the person:

(1) is a member or veteran of the United States armed forces, including a member or veteran of the reserves or national guard;

(2) was discharged under honorable conditions, if discharged from the United States armed forces, reserves, or national guard; and

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

(h) The issuance of a license to carry a concealed handgun to a person eligible under Subsection (g) does not affect the person's ability to purchase a handgun or ammunition under federal law.

SECTION 2. Section 411.174(a), Government Code, is amended

1 to read as follows:

2 (a) An applicant for a license to carry a concealed handgun
3 must submit to the director's designee described by Section
4 411.176:

5 (1) a completed application on a form provided by the
6 department that requires only the information listed in Subsection
7 (b);

8 (2) two recent color passport photographs of the
9 applicant, except that an applicant who is younger than 21 years of
10 age must submit two recent color passport photographs in profile of
11 the applicant;

12 (3) a certified copy of the applicant's birth
13 certificate or certified proof of age;

14 (4) proof of residency in this state;

15 (5) two complete sets of legible and classifiable
16 fingerprints of the applicant taken by a person appropriately
17 trained in recording fingerprints who is employed by a law
18 enforcement agency or by a private entity designated by a law
19 enforcement agency as an entity qualified to take fingerprints of
20 an applicant for a license under this subchapter;

21 (6) a nonrefundable application and license fee of
22 \$140 paid to the department;

23 (7) a handgun proficiency certificate described by
24 Section 411.189;

25 (8) an affidavit signed by the applicant stating that
26 the applicant:

27 (A) has read and understands each provision of

1 this subchapter that creates an offense under the laws of this state
2 and each provision of the laws of this state related to use of
3 deadly force; and

4 (B) fulfills all the eligibility requirements
5 listed under Section 411.172; and

6 (9) a form executed by the applicant that authorizes
7 the director to make an inquiry into any noncriminal history
8 records that are necessary to determine the applicant's eligibility
9 for a license under Section 411.172(a).

10 SECTION 3. Section 411.184(a), Government Code, is amended
11 to read as follows:

12 (a) To modify a license to allow a license holder to carry a
13 handgun of a different category than the license indicates, the
14 license holder must:

15 (1) complete a proficiency examination as provided by
16 Section 411.188(e);

17 (2) obtain a handgun proficiency certificate under
18 Section 411.189 not more than six months before the date of
19 application for a modified license; and

20 (3) submit to the department:

21 (A) an application for a modified license on a
22 form provided by the department;

23 (B) a copy of the handgun proficiency
24 certificate;

25 (C) payment of a modified license fee of \$25; and

26 (D) two recent color passport photographs of the
27 license holder, except that an applicant who is younger than 21

1 years of age must submit two recent color passport photographs in
2 profile of the applicant.

3 SECTION 4. Subchapter H, Chapter 411, Government Code, is
4 amended by adding Section 411.1951 to read as follows:

5 Sec. 411.1951. REDUCTION OF FEES FOR MEMBERS OF UNITED
6 STATES ARMED FORCES. Notwithstanding any other provision of this
7 subchapter, the department shall reduce by 50 percent any fee
8 required for the issuance of an original, duplicate, modified, or
9 renewed license under this subchapter if the applicant for the
10 license is a member of the United States armed forces, including a
11 member of the reserves, national guard, or state guard.

12 SECTION 5. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 322 was passed by the House on March 23, 2005, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 322 on May 23, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 322 was passed by the Senate, with amendments, on May 19, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor