

By: Hupp

H.B. No. 322

A BILL TO BE ENTITLED

AN ACT

relating to concealed handgun licenses for members and veterans of the United States armed forces.

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

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

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

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

(2) is at least 21 years of age;

(3) has not been convicted of a felony;

(4) is not charged with the commission of a Class A or Class B misdemeanor or an offense under Section 42.01, Penal Code, or of a felony under an information or indictment;

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

(6) is not a chemically dependent person;

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

(8) has not, in the five years preceding the date of application, been convicted of a Class A or Class B misdemeanor or

1 an offense under Section 42.01, Penal Code;

2 (9) is fully qualified under applicable federal and  
3 state law to purchase a handgun;

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

7 (11) has not been finally determined to be delinquent  
8 in the payment of a tax or other money collected by the comptroller,  
9 the tax collector of a political subdivision of the state, or any  
10 agency or subdivision of the state;

11 (12) has not been finally determined to be in default  
12 on a loan made under Chapter 57, Education Code;

13 (13) is not currently restricted under a court  
14 protective order or subject to a restraining order affecting the  
15 spousal relationship, other than a restraining order solely  
16 affecting property interests;

17 (14) has not, in the 10 years preceding the date of  
18 application, been adjudicated as having engaged in delinquent  
19 conduct violating a penal law of the grade of felony; and

20 (15) has not made any material misrepresentation, or  
21 failed to disclose any material fact, in an application submitted  
22 pursuant to Section 411.174 or in a request for application  
23 submitted pursuant to Section 411.175.

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

27 (1) is a member or veteran of the United States armed

1 forces, including a member or veteran of the reserves or national  
2 guard; and

3 (2) meets the other eligibility requirements of  
4 Subsection (a).

5 SECTION 2. Section 411.183, Government Code, is amended by  
6 adding Subsection (f) to read as follows:

7 (f) If the expiration date for an original, duplicate,  
8 modified, or renewed license of a member of the United States armed  
9 forces occurs while the license holder is serving outside the  
10 United States, the license does not expire on that date but remains  
11 valid until the first anniversary of that date. A license holder  
12 may not receive consecutive extensions for the license under this  
13 subsection. For purposes of this subsection, "United States armed  
14 forces" includes the reserves and national guard.

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

17 Sec. 411.1951. REDUCTION OF FEES FOR MEMBERS OR VETERANS OF  
18 UNITED STATES ARMED FORCES. Notwithstanding any other provision of  
19 this subchapter, the department shall reduce by 50 percent any fee  
20 required for the issuance of an original, duplicate, modified, or  
21 renewed license under this subchapter if the applicant for the  
22 license is a member or veteran of the United States armed forces,  
23 including a member or veteran of the reserves or national guard.

24 SECTION 4. This Act takes effect September 1, 2005.