

BILL ANALYSIS

Senate Research Center

S.B. 864
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Criminal Justice
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 864 seeks to lower the number of required classroom curriculum hours necessary to obtain and renew a concealed handgun license. Current law requires 10 and not more than 15 hours of curriculum instruction in addition to a physical demonstration of proficiency. This legislation redefines the necessary classroom instruction hours to require a minimum of four hours with a maximum of six hours.

When the statute requiring a licensure course was enacted in 1997, the course curriculum had not yet been finalized. This is the first time the discrepancy between statute-mandated course hours and the timed delivery of course curriculum has been addressed since the inception of the course. This bill does not reduce course curriculum when reducing course hours and does not attempt to regulate the addition or subtraction of any course material currently approved for instruction.

S.B. 864 amends current law relating to a handgun proficiency course that is taken to obtain or renew a concealed handgun license.

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 Section 411.185(a), Government Code, as follows:

(a) Requires a license holder, to renew a license, to:

(1) complete a handgun proficiency course, rather than a continuing education course in handgun proficiency, under Section 411.188(a) (relating to requiring an applicant to demonstrate handgun proficiency to certain minimum standards), rather than 411.188(c) (relating to requiring the Texas Department of Public Safety (DPS) to develop a continuing education course in handgun proficiency), within the six-month period preceding:

(A) the date of the application for renewal, for a first or second renewal; and

(B) the date of application for renewal or the date of application for the preceding renewal, for a third or subsequent renewal to ensure that the license holder is not required to complete the course more than once in any 10-year period; and

(2) Makes no change to this subdivision.

SECTION 2. Amends Sections 411.188(a), (b), and (j), Government Code, as follows:

(a) Provides that the course to teach handgun proficiency is required for each person who seeks to obtain or renew a license and is required to contain training sessions divided into two parts, in addition to certain other requirements.

(b) Provides that only qualified handgun instructors are authorized to administer the classroom instruction part or the range instruction part of the handgun proficiency course. Requires that the classroom instruction part of the course include not less than four hours and not more than six hours, rather than requires that the handgun proficiency course include at least 10 hours and not more than 15 hours, of instruction on:

(1) the laws that relate to weapons and to the use of deadly force;

(2) handgun use, rather than proficiency, and safety;

(3) nonviolent dispute resolution; and

(4) proper storage practices for handguns with an emphasis on storage practices that eliminate the possibility of accidental injury to a child.

Makes nonsubstantive changes.

(j) Authorizes DPS to offer online, for license holders seeking to renew their licenses, or allow a qualified handgun instructor to offer online, the classroom instruction part of the handgun proficiency course and the written section of the proficiency examination. Deletes existing text authorizing DPS to offer online, or allow a qualified handgun instructor to offer online, the continuing education instruction course and written section of the proficiency examination required to renew a license.

SECTION 3. Repealer: Section 411.188(c) (relating to requiring DPS by rule to develop a continuing education handgun proficiency course), Government Code.

SECTION 4. Makes application of the change in law made by this Act prospective.

SECTION 5. Effective date: September 1, 2013.