

By: Flynn, White, Cook, et al.

H.B. No. 47

Substitute the following for H.B. No. 47:

By: Pickett

C.S.H.B. No. 47

A BILL TO BE ENTITLED

1

AN ACT

2 relating to a handgun proficiency course that is taken to obtain or  
3 renew a concealed handgun license.

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

5 SECTION 1. Section 411.185(a), Government Code, is amended  
6 to read as follows:

7 (a) To renew a license, a license holder must:

8 (1) complete a [~~continuing education course in~~  
9 handgun proficiency course under Section 411.188(a) [~~411.188(c)~~]  
10 within the six-month period preceding:

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

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

18 (2) submit to the department:

19 (A) an application for renewal on a form provided  
20 by the department;

21 (B) evidence of handgun proficiency, in the form  
22 and manner required by the department;

23 (C) payment of a nonrefundable renewal fee as set  
24 by the department; and

1 (D) one or more photographs of the applicant that  
2 meet the requirements of the department.

3 SECTION 2. Sections 411.188(a), (b), and (j), Government  
4 Code, are amended to read as follows:

5 (a) The director by rule shall establish minimum standards  
6 for handgun proficiency and shall develop a course to teach handgun  
7 proficiency and examinations to measure handgun proficiency. The  
8 course to teach handgun proficiency is required for each person who  
9 seeks to obtain or renew a license and must contain training  
10 sessions divided into two parts. One part of the course must be  
11 classroom instruction and the other part must be range instruction  
12 and an actual demonstration by the applicant of the applicant's  
13 ability to safely and proficiently use the applicable category of  
14 handgun. An applicant must be able to demonstrate, at a minimum,  
15 the degree of proficiency that is required to effectively operate a  
16 handgun of .32 caliber or above. The department shall distribute  
17 the standards, course requirements, and examinations on request to  
18 any qualified handgun instructor.

19 (b) Only ~~[a]~~ qualified handgun instructors ~~[instructor]~~ may  
20 administer the classroom instruction part or the range instruction  
21 part of the ~~[a]~~ handgun proficiency course. The classroom  
22 instruction part of the ~~[handgun proficiency]~~ course must include  
23 at least six ~~[10]~~ hours ~~[and not more than 15 hours]~~ of instruction  
24 on:

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

27 (2) handgun use ~~[, proficiency,]~~ and safety;

1 (3) nonviolent dispute resolution; and

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

5 (j) For license holders seeking to renew their licenses, the  
6 ~~[The]~~ department may offer online, or allow a qualified handgun  
7 instructor to offer online, the classroom instruction part of the  
8 handgun proficiency ~~[continuing education instruction]~~ course and  
9 the written section of the proficiency examination ~~[required to~~  
10 ~~renew a license]~~.

11 SECTION 3. Section 411.188(c), Government Code, is  
12 repealed.

13 SECTION 4. The change in law made by this Act applies only  
14 to an application to obtain or renew a license to carry a concealed  
15 handgun submitted on or after the effective date of this Act. An  
16 application submitted before the effective date of this Act is  
17 governed by the law in effect when the application was submitted,  
18 and the former law is continued in effect for that purpose.

19 SECTION 5. This Act takes effect September 1, 2013.