

BILL ANALYSIS

Senate Research Center
79R16375 UM-F

C.S.H.B. 322
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Veterans Affairs and Military Installations
5/9/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

All citizens must be at least 21 years old to obtain a concealed handgun license. All citizens, except senior citizens, currently have to pay the full fee for a concealed handgun license.

Our military personnel currently receives extensive training in handling weapons. An eighteen-year-old soldier who has been in combat cannot legally carry a concealed handgun in Texas. Being outside of the United States for extended periods of time leads to the expiration of licenses for those who are eligible to carry a concealed handgun. As soldiers are out of the country, they are not able to enjoy their right to carry a concealed handgun, like other citizens of the United States, but are still paying the same fees to obtain their license.

C.S.H.B. 322 lowers the age requirement for active duty members of the military, for obtaining a concealed handgun license, from 21 years of age to 18. C.S.H.B. 322 also reduces the original license fee and any renewal fees for active duty members of the armed forces by 50 percent.

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 411.172, Government Code, by adding Subsections (g) and (h), as follows:

(g) Provides that, 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 is a member or veteran of the United States armed forces, including a member or veteran of the reserves or national guard, was discharged under honorable conditions, if discharged from the United States armed forces, reserves, or national guard, and meets the other eligibility requirements of Subsection (a), except for the minimum age required by federal law to purchase a handgun.

(h) Provides that 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. Amends Section 411.174(a), Government Code, to require an applicant for a license to carry a concealed handgun to submit to the director of public safety's designee described by Section 411.176 two recent color passport photographs of the applicant, except that an applicant who is younger than 21 years of age must submit two recent color passport photographs in profile of the applicant.

SECTION 3. Amends Section 411.184(a), Government Code, to make conforming changes.

SECTION 4. Amends Subchapter H, Chapter 411, Government Code, by adding Section 411.1951, as follows:

Sec. 411.1951. REDUCTION OF FEES FOR MEMBERS OF UNITED STATES ARMED FORCES. Requires the Department of Public Safety of the State of Texas,

notwithstanding any other provision of this subchapter, to reduce by 50 percent any fee required for the issuance of an original, duplicate, modified, or renewed license under this subchapter if the applicant for the license is a member of the United States armed forces, including a member of the reserves, national guard, or state guard.

SECTION 5. Effective date: September 1, 2005.