

BILL ANALYSIS

C.S.H.B. 621
By: Leach
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that subjecting an active peace officer to the handgun license application process for regular license applicants is unnecessary as such officers have already undergone substantial firearms training and completed far more extensive background checks than required for obtaining a handgun license. C.S.H.B. 621 seeks to address this issue by exempting qualified licensed peace officers from certain requirements of the handgun license application process and by waiving certain associated fees for these officers.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 621 amends the Government Code to exempt an otherwise qualified licensed peace officer applying for a handgun license from the requirement to complete the handgun proficiency course as part of the application process. The bill requires the Department of Public Safety (DPS) to waive any fee required for the issuance of an original, duplicate, modified, or renewed handgun license for such a peace officer applicant. The bill includes a handgun license applicant who is a qualified former reserve law enforcement officer among the handgun license applicants for whom DPS is required to establish certain fingerprint submission procedures.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 621 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 411.175, Government Code, is amended to read as follows:

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 411.175, Government Code, is amended to read as follows:

85R 24552

17.109.1167

Substitute Document Number: 85R 23258

Sec. 411.175. PROCEDURES FOR SUBMITTING FINGERPRINTS. The department shall establish procedures for the submission of legible and classifiable fingerprints by an applicant for a license under this subchapter who:

(1) is required to submit those fingerprints to the department, including an applicant under Section 411.199[~~411.1991~~] or 411.201; and

(2) resides in a county having a population of 46,000 or less and does not reside within a 25-mile radius of a facility with the capability to process digital or electronic fingerprints.

SECTION 2. Subchapter H, Chapter 411, Government Code, is amended.

SECTION 3. The change in law made by this Act applies only to an application that is made to obtain an original, duplicate, modified, or renewed license to carry a handgun and submitted on or after the effective date of this Act. An application described by this section that is submitted before the effective date of this Act is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2017.

Sec. 411.175. PROCEDURES FOR SUBMITTING FINGERPRINTS. The department shall establish procedures for the submission of legible and classifiable fingerprints by an applicant for a license under this subchapter who:

(1) is required to submit those fingerprints to the department, including an applicant under Section 411.199, 411.1991, 411.1992, 411.1993, or 411.201; and

(2) resides in a county having a population of 46,000 or less and does not reside within a 25-mile radius of a facility with the capability to process digital or electronic fingerprints.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.