

SUBJECT: Concealed handgun license lower age and fee for military and veterans

COMMITTEE: Law Enforcement — committee substitute recommended

VOTE: 5 ayes — Driver, Jackson, Hegar, Frost, Veasey

0 nays

2 absent — Burnam, Hupp

WITNESSES: For — Tara Mica, National Rifle Association; Jerry Patterson

Against — None

BACKGROUND: The 74th Legislature in 1995 enacted SB 60 by Patterson, which permits Texans to apply for licenses to carry concealed handguns.

Government Code sec. 411.172 lists restrictions on who may obtain a concealed handgun license. One of the requirements for obtaining a license is that the applicant be at least 21 years of age.

Government Code secs. 411.194 and 411.195 require the Department of Public Safety to charge half of the normal licensing fee to indigents and senior citizens.

DIGEST: CSHB 322 would amend Government Code sec. 411.172 to allow members and veterans of the U.S. armed forces to obtain a concealed handgun license if the applicant was at least 18 years of age and had not been dishonorably discharged.

The bill would also add members and veterans of the U.S. armed forces to the list of people to be charged half of the normal fee for concealed handgun licenses. To be eligible for the fee reduction, the applicant could not have been dishonorably discharged.

The bill would take effect September 1, 2005.

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**SUPPORTERS
SAY:**

Members of the armed forces—even young members—are highly trained in the use of weapons, and thus preventing members under the age of 21 from obtaining a concealed handgun license serves no purpose. Further, these young men and women risk their lives to protect our country, and the state should express its appreciation both by allowing them to obtain concealed handgun licenses in order to protect themselves and by enabling them to obtain licenses at a discounted fee.

**OPPONENTS
SAY:**

When the Legislature adopted the concealed handgun bill in 1995, it intended to closely define the class of people eligible for concealed handgun licenses and for reduced fees for the license. CSHB 322 would expand both classes, increasing the number of people eligible to carry concealed handguns and decreasing the state's revenue from fees.

Further, no amount of technical training on the use of guns can compensate for the lack of maturity that young adults under the age of 21 invariably possess.

NOTES:

The committee substitute made several changes, including deleting a section that would have extended the renewal period for a member of the armed services serving overseas and adding a section that would deny licensure to a dishonorably discharged veteran under 21 years of age. The substitute also would deny reduced licensure fees for dishonorably discharged veterans.

According to the Legislative Budget Board, CSHB 322 would cost the state \$672,000 in general revenue for fiscal 2006-07. In addition, the costs of processing additional applications and renewals, including the cost to DPS of adding one full-time equivalent position, would total \$318,594 from the state highway fund for the coming biennium.

A related bill, HB 685 by Rose, et al., which would exempt currently serving or honorably discharged members of the armed forces from completing the range instruction portion of the handgun proficiency course to obtain or renew a concealed handgun license, was reported favorably, as substituted, by the Defense Affairs and State-Federal Relations Committee on March 10 and has been set on Wednesday's General State Calendar.