

SUBJECT: Relaxing concealed handgun license requirements for military personnel

COMMITTEE: Defense Affairs and State-Federal Relations — committee substitute recommended

VOTE: 5 ayes — Corte, Campbell, Herrero, Hodge, Leibowitz
0 nays
4 absent — Berman, Merritt, P. Moreno, Noriega

WITNESSES: For — Tara Mica, National Rifle Association; Alice Tripp, Texas State Rifle Association

Against — None

BACKGROUND: Under Government Code, secs. 411.174 and 411.185, an applicant must obtain a handgun proficiency certificate in order to obtain or renew a concealed handgun license. To obtain such a certificate, a person must complete a course in handgun proficiency per sec. 411.188, which requires a total of 10 to 15 hours of classroom instruction and range instruction.

Because sec. 411.183 stipulates that a concealed handgun license is valid for four years, licensees must obtain a new handgun proficiency certificate every four years in order to renew their license.

DIGEST: CSHB 685 would exempt from the range instruction portion of the handgun proficiency course members and veterans of the state and federal armed forces who have taken a course in handgun proficiency within five years of applying for or renewing a concealed handgun license.

The bill would allow qualified license holders to submit a form developed by the Texas Department of Public Safety to prove their exemption from range instruction requirements.

The bill would take effect September 1, 2005.

SUPPORTERS SAY: Members of the armed forces are highly trained in the use of weapons, and many have taken an intensive course on the use of handguns during their

military service. There is no reason to require a citizen with such expertise to take an additional course that includes range instruction in order to obtain or renew a concealed handgun license.

Members and veterans only would be exempted from the range requirement if they had completed handgun proficiency training in the military in the past five years. While the renewal period for a concealed handgun license currently is four years, the House already has passed legislation — HB 225 by Driver et al. — to extend the renewal period to five years. If HB 225 becomes law, CSHB 685 simply would ensure that military members and veterans would not be required to engage in more range training than other Texas licensees.

Young men and women in the military risk their lives to protect our country, and the state should express some of its appreciation by exempting them from a burdensome and repetitive requirement that serves no public purpose.

OPPONENTS
SAY:

When the Legislature enacted the concealed handgun bill in 1995, it intended to closely define the class of people eligible for concealed handgun licenses and the application and renewal requirements for obtaining the license. CSHB 685 would lower these requirements by exempting a class of people from the range instruction requirement of the handgun proficiency course. Decreasing training for any class of people could threaten public safety and potentially harm licensees using a handgun. It is in the best interests of all Texans to maintain the maximum quality of licensees by maintaining the current requirements for the handgun proficiency course.

The range requirement of the handgun proficiency course is very brief—typically lasting about one hour. Course instructors have not reported widespread complaints by members of the military and veterans about having to complete this brief range requirement. To the contrary, instructors generally report that members and veterans of the military are pleased with the range instruction as it gives them the opportunity to practice with a different type of gun than the military typically uses.

HB 322 by Hupp, et al. — another bill being considered this session — would reduce the age of eligibility for a concealed handgun license from 21 to 18 for members or veterans of the military. If HB 322 and CSHB 685 are enacted, then 18-year old members of the military who have taken

a military course in handgun proficiency would be exempted from the state requirement of taking a handgun proficiency course with range instruction in order to obtain a concealed handgun license. A large amount of training is necessary to compensate for the lack of maturity that young adults invariably possess, and decreasing training requirements for these young adults therefore could lead to increased gun violence in Texas.

NOTES:

The committee substitute changed the original bill by expanding the exemption from the range requirement of the handgun proficiency course from renewal of the license to renewal and original application for the license. The substitute also would extend coverage from members and veterans of the U.S. armed forces to include members of the Texas armed forces.

HB 225 by Driver et al., which would allow a renewal license to be valid for five rather than four years, passed to engrossment in the House on March 21.

HB 322 by Hupp, et al., which would reduce the age of eligibility for a concealed handgun license from 21 to 18 for members or veterans of the military and charge reduced licensing fees to these groups, passed the House on second reading yesterday and is scheduled for third-reading consideration today.