

- SUBJECT:** Fingerprint submission procedures for a concealed handgun license
- COMMITTEE:** Homeland Security and Public Safety — committee substitute recommended
- VOTE:** 8 ayes — Pickett, Fletcher, Cortez, Dale, Flynn, Lavender, Sheets, Simmons
- 0 nays
- 1 absent — Kleinschmidt
- WITNESSES:** For — Michael Cargill; Bobby Clakley, Bill Titus, Texas Concealed Handgun Association; Lindan Morris; Mark Smith; Alice Tripp, Texas State Rifle Association (*Registered, but did not testify*: Dennis Allen; Charles Cotton; Mike Cox; Angel Gonzalez)
- Against — Heather Ross, Gun and Mental Health Action Group (*Registered, but did not testify*: David Albert; Grace Chimene; Dean McWilliams, MorphoTrust; Susan Morrison; Joanne Richards; John Woods, Texas Gun Sense)
- On — RenEarl Bowie, Skylor Hearn, Texas Department of Public Safety (*Registered, but did not testify*: Steve Moninger, Sherrie Zgabay, Texas Department of Public Safety)
- BACKGROUND:** Government Code, ch. 411 requires a person seeking a concealed handgun license to submit two complete sets of legible and classifiable fingerprints. Administrative rules (Title 37, Texas Administrative Code, Part 1, ch. 6, subch. B, §6.12) for the Department of Public Safety (DPS) require all original applicants to submit the fingerprints electronically at a qualified entity.
- DIGEST:** CSHB 698 would require DPS to establish procedures for the submission of fingerprints by concealed handgun license applicants who did not reside within a 25-mile radius of a facility capable of processing digital or electronic fingerprints. These applicants would include active and honorably retired peace officers, as well as active and retired judicial officers.

CSHB 698 would take effect September 1, 2013, and would apply to an application for a license issued on or after that date.

SUPPORTERS
SAY:

CSHB 698 would reduce barriers to concealed handgun license registration by requiring DPS to establish procedures for applicants who live far from a fingerprint processing facility, including active and retired peace officers and judicial officials.

Current procedures for submitting fingerprints are onerous for rural Texans. In 2011, the state entered into an exclusive contract with a single vendor to provide the service of collecting fingerprints. This vendor has only 72 fingerprint facilities across Texas, and one-quarter of the population lives more than 25 miles from such a facility. Some residents must travel more than 100 miles just to get their fingerprints taken. Additionally, there is often a waiting list to get an appointment at a fingerprint service center, which makes planning a long trip to scan one's fingerprints even more difficult.

Collecting fingerprint information should not be so burdensome. There are other ways of obtaining fingerprints, including use of an ink card or the establishment of more service centers. By requiring DPS to create procedures for people who live in remote locations, CSHB 698 would lower the obstacles to obtaining a concealed handgun license, while helping to protect Second Amendment rights.

OPPONENTS
SAY:

CSHB 698 could encourage DPS to put convenience before security. Concealed handgun licenses are a meaningful privilege and the proper security measures should not be spared. Requiring all license applicants to submit electronic fingerprints at a qualifying entity is the best way to ensure security.

Under the bill, DPS could adopt rules allowing such applicants to use an ink card system, which involves submitting a paper-stamped version of their fingerprints. Not only is this system slow, costly, and frequently inaccurate, it also could weaken security by making it difficult to determine if the applicant actually submitted his or her own fingerprints. The current, mandatory electronic process is much more secure.