

BILL ANALYSIS

Senate Research Center

H.B. 485
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Reserve peace officers often face life-threatening situations similar to those faced by active duty peace officers and consequently should be governed by the same concealed handgun license eligibility laws as active duty officers and provided the same license fee discounts. H.B. 485 seeks to remedy this discrepancy in the treatment of reserve and active duty peace officers.

Additionally the bill extends the peace officer license fee discounts to honorably discharged veterans of the United States military and correctional officers who are employed by the Texas Department of Criminal Justice (TDCJ).

H.B. 485 amends the Government Code to require an applicant for a license to carry a concealed handgun who is a veteran who, more than 365 days preceding the date of the application, was honorably discharged from the branch of the military in which the applicant served to pay a fixed fee of \$25 for the issuance of an original or renewed license.

The bill also provides the same for correctional officers employed by TDCJ. The bill removes the requirement that the Department of Public Safety of the State of Texas reduce by 50 percent any fee required for the issuance of an original or renewed license to such a veteran applicant. The bill removes the requirement that a person employed as a peace officer by a law enforcement agency be employed full-time to be eligible to apply for a concealed handgun license.

H.B. 485 amends current law relating to the amount of the fees paid by certain peace officers, correctional officers, members of the state military forces, and veterans of the armed forces for a license to carry a concealed handgun and to the issuance of such a license to certain peace officers and members of the state military forces, and authorizes a fee.

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 411.1951(c), Government Code, as follows:

(c) Provides that if the applicant is a veteran who, more than 365 days preceding the date of the application, was honorably discharged from the branch of the service in which the applicant, notwithstanding any other provision of this subchapter (License to Carry a Concealed Handgun):

- (1) the applicant is required to pay a fee of \$25 for the issuance of an original or renewed license under this subchapter; and
- (2) the Department of Public Safety of the State of Texas (DPS) is required to reduce by 50 percent any fee required of the applicant for a duplicate or modified license under this subchapter.

Deletes existing text requiring DPS, 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 veteran who, more than 365 days preceding the date of the application, was honorably discharged from the branch of the service in which the person served.

SECTION 2. Amends Subchapter H, Chapter 411, Government Code, by adding Section 411.1952, as follows:

Sec. 411.1952. REDUCTION OF FEES FOR EMPLOYEES OF TEXAS DEPARTMENT OF CRIMINAL JUSTICE. Requires an applicant who is a correctional officer of the Texas Department of Criminal Justice, notwithstanding any other provision of this subchapter, to pay a fee of \$25 for the issuance of an original or renewed license under this subchapter.

SECTION 3. Amends the heading to Section 411.1991, Government Code, to read as follows:

Sec. 411.1991. PEACE OFFICERS.

SECTION 4. Amends Section 411.1991(a), Government Code, to authorize a person who is licensed as a peace officer under Chapter 1701 (Law Enforcement Officers), Occupations Code, and is employed, rather than employed full-time, as a peace officer by a law enforcement agency, or a member of the Texas military forces, excluding Texas State Guard members who are serving in the Texas Legislature, to apply for a license under this subchapter.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2013.