

BILL ANALYSIS

Senate Research Center

H.B. 698
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Criminal Justice
5/12/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current statute requires a person seeking to obtain a concealed handgun license to submit two complete sets of legible and classifiable fingerprints taken by a person appropriately trained in recording fingerprints who is employed by a law enforcement agency or a certain designated private entity. Department of Public Safety of the State of Texas (DPS) rules require the fingerprints to be taken digitally at an approved facility. Many citizens in rural areas, however, must travel between 60 and 100 miles to reach an approved facility to have fingerprints taken. The parties contend that many people who work during the week may not be able to drive the distance it takes to reach an approved facility, thus presenting a barrier to the right to carry a concealed handgun. In an effort to provide an alternative method of fingerprinting to accommodate people who live far from these facilities, H.B. 698 requires DPS to establish procedures for the submission of fingerprints by an applicant for a concealed handgun license who does not reside within a specified distance of a fingerprint processing facility.

H.B. 698 amends current law relating to certain procedures for submitting legible and classifiable fingerprints with an application for a license to carry a concealed handgun.

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 Subchapter H, Chapter 411, Government Code, by adding Section 411.175, as follows:

Sec. 411.175. PROCEDURES FOR SUBMITTING FINGERPRINTS. Requires the Department of Public Safety of the State of Texas (DPS) to 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 DPS, including an applicant under Section 411.199 (Honorably Retired Peace Officers), 411.1991 (Active Peace Officers), or 411.201 (Active and Retired Judicial Officers); 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. Provides that the change in law made by this Act applies only to an application for a license to carry a concealed handgun that is submitted to DPS on or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2013.