

BILL ANALYSIS

Senate Research Center
85R18530 ADM-D

C.S.S.B. 264
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State Affairs
3/20/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A person employed as a county jailer as defined by Chapter 1701, Occupations Code, or Section 85.005, Local Government Code, may undergo extensive weapons training far beyond what is required to obtain a license to carry (LTC) a firearm in Texas. However, individuals employed as jailers are required to complete a shooting proficiency test in order to obtain an LTC.

C.S.S.B. 264 allows jailers who can demonstrate they have previously completed weapons training and completed all other requirements of the LTC application, including the fee, the ability to obtain an LTC without going through additional LTC firearm training.

C.S.S.B. 264 also allows state correctional officers who can demonstrate they have completed firearm training the ability to obtain an LTC without going through additional LTC firearm training.

Under C.S.S.B. 264, state correctional officers and county jailers still must complete all other requirements in Chapter 411, Government Code, to obtain an LTC, they are only exempt from the shooting portion of the requirement.

C.S.S.B. 264 removes previous references to a reduced fee.

C.S.S.B. 264 amends current law relating to an application made by a county jailer or state correctional officer to obtain a license to carry a 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 Sections 411.1993 and 411.1994, as follows:

Sec. 411.1993. COUNTY JAILERS. (a) Defines "county jailer."

(b) Authorizes a county jailer who holds a county jailer license issued under Chapter 1701 (Law Enforcement Officers), Occupations Code, to apply for a license under this subchapter (License to Carry a Handgun).

(c) Requires an applicant who is a county jailer to submit to the Texas Department of Public Safety (DPS):

(1) the name and job title of the applicant;

(2) a current copy of the applicant's county jailer license and evidence of employment as a county jailer; and

(3) evidence that the applicant has satisfactorily completed the preparatory training program required under Section 1701.310 (Appointment of County Jailer; Training Required), Occupations Code, including the demonstration of weapons proficiency required as part of the training program under Section 1701.307 (Issuance of Officer or County Jailer License), Occupations Code.

(d) Authorizes DPS to issue a license to an applicant if the applicant complies with Subsection (c) and meets all other requirements of this subchapter, except that the applicant is not required to complete the range instruction part of the handgun proficiency course described by Section 411.188 (Handgun Proficiency Requirement).

(e) Provides that a license issued to an applicant expires as provided by Section 411.183 (Expiration).

Sec. 411.1994. STATE CORRECTIONAL OFFICERS. (a) Authorizes a correctional officer of the Texas Department of Criminal Justice (TDCJ) to apply for a license under this subchapter.

(b) Requires an applicant under this section to submit to DPS:

(1) the name and job title of the applicant;

(2) evidence of employment as a correctional officer of TDCJ; and

(3) evidence that the applicant has satisfactorily completed the correctional officer training program offered by TDCJ, including a demonstration of weapons proficiency.

(c) Authorizes DPS to issue a license to an applicant under this section if the applicant complies with Subsection (b) and meets all other requirements of this subchapter, except that the applicant is not required to complete the range instruction part of the handgun proficiency course described by Section 411.188.

(e) Provides that a license issued to an applicant under this section expires as provided by Section 411.183.

SECTION 2. Transfers Section 411.1952, Government Code, to Section 411.1994, Government Code, as added by this Act, redesignates it as Subsection (d) of that section, and amends it, as follows:

(d) Requires an applicant under this section to pay a fee of \$25 for the issuance of an original or renewed license. Deletes existing heading to Section 411.1952 and deletes existing text requiring an applicant who is a correctional officer of TDCJ, notwithstanding any other provision of this subchapter, to pay a fee of \$25 for the issuance of an original or renewed license.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2017.