

1 AN ACT  
2 relating to the definition of "convicted" for purposes of  
3 eligibility to carry a concealed handgun.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 411.171(4), Government Code, is amended  
6 to read as follows:

7 (4) "Convicted" means an adjudication of guilt or,  
8 except as provided in Section 411.1711, an order of deferred  
9 adjudication entered against a person by a court of competent  
10 jurisdiction whether or not the imposition of the sentence is  
11 subsequently probated and the person is discharged from community  
12 supervision. The term does not include an adjudication of guilt or  
13 an order of deferred adjudication that has been subsequently:

14 (A) expunged; or

15 (B) pardoned under the authority of a state or  
16 federal official.

17 SECTION 2. Subchapter H, Chapter 411, Government Code, is  
18 amended by adding Section 411.1711 to read as follows:

19 Sec. 411.1711. CERTAIN EXEMPTIONS FROM CONVICTIONS. A  
20 person is not convicted, as that term is defined by Section 411.171,  
21 if an order of deferred adjudication was entered against the person  
22 on a date not less than 10 years preceding the date of the person's  
23 application for a license under this subchapter unless the order of  
24 deferred adjudication was entered against the person for an offense

1 under Title 5, Penal Code, or Chapter 29, Penal Code.

2 SECTION 3. This Act takes effect September 1, 2005.

David Swihart

President of the Senate

Jim Collins

Speaker of the House

I certify that H.B. No. 1831 was passed by the House on May 4, 2005, by a non-record vote.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 1831 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Patricia Shaw  
Secretary of the Senate

APPROVED: 18 JUNE '05

Date

Rick Deery  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
12:20 PM O'CLOCK

Roger Williams  
Secretary of State