

AN ACT

relating to certain eligibility requirements for a license to carry a concealed handgun.

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

SECTION 1. Section 411.172(b), Government Code, is amended to read as follows:

(b) For the purposes of this section, an offense under the laws of this state, another state, or the United States is:

(1) a felony if the offense, at the time of a person's application for a license to carry a concealed handgun:

(A) is ~~[se]~~ designated by a law of this state as a felony;

(B) contains all the elements of an offense designated by a law of this state as a felony; or

(C) is punishable by [ex-if] confinement for one year or more in a penitentiary [is affixed to the offense as a possible punishment]; and

(2) a Class A misdemeanor if the offense is not a felony and confinement in a jail other than a state jail felony facility is affixed as a possible punishment.

SECTION 2. Section 411.173, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The department by rule shall establish a procedure for a

1 person [~~who is a legal resident of a state that does not provide for~~
2 ~~the issuance of a license to carry a concealed handgun and~~] who
3 meets the eligibility requirements of this subchapter other than
4 the residency requirement established by Section 411.172(a)(1) to
5 obtain a license under this subchapter if the person is a legal
6 resident of a state that does not provide for the issuance of a
7 license to carry a concealed handgun or if the person relocates to
8 this state with the intent to establish residency in this state.
9 The procedure must include payment of a fee in an amount sufficient
10 to recover the average cost to the department of obtaining a
11 criminal history record check and investigation on a nonresident
12 applicant.

13 (a-1) If a state whose residents may obtain a license under
14 this subchapter by following the procedure established under
15 Subsection (a) enacts a law providing for the issuance of a license
16 to carry a concealed handgun, a license issued under this
17 subchapter to a resident of that state:

18 (1) remains in effect until the license expires under
19 Section 411.183; and

20 (2) may be renewed under Section 411.185 unless the
21 department negotiates an agreement with that state under Subsection
22 (b).

23 SECTION 3. This Act takes effect September 1, 2003.

David Suohunt

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 1704 was passed by the House on May 8, 2003, by the following vote: Yeas 139, Nays 0, 2 present, not voting.

Robert Hamey

Chief Clerk of the House

I certify that H.B. No. 1704 was passed by the Senate on May 24, 2003, by a viva-voce vote.

Aatsy Gau

Secretary of the Senate

APPROVED: 18 JUNE '03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:30pm O'CLOCK

JUN 18 2003
Leann Shea
Secretary of State