

BILL ANALYSIS

C.S.H.B. 4428
By: Tinderholt
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that state law relating to the expiration of handgun licenses does not provide for the expiration of a license for a license holder who is not a U.S. citizen and whose lawful presence in the United States expires. C.S.H.B. 4428 seeks to address this issue by aligning the expiration date of original and renewed handgun licenses with the expiration of the legal residence in the United States of a non-U.S. citizen license holder.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4428 amends the Government Code to set an original or renewed handgun license issued to an applicant who is not a U.S. citizen to expire on the expiration of the license holder's lawful presence in the United States as determined by the federal agency responsible for citizenship and immigration in compliance with federal law, if that date is earlier than the date on which the license would otherwise expire, or, if there is no definite expiration date for the applicant's lawful presence in the United States, on the first anniversary of the date of issuance or renewal, as applicable.

C.S.H.B. 4428 authorizes a license holder whose license will expire on the expiration of the license holder's lawful presence in the United States who is granted an extension for lawful presence in the United States to apply to the Department of Public Safety (DPS) for a duplicate license with an updated expiration date by providing to DPS the person's license number and evidence of the extension. The bill requires the duplicate license to provide for an expiration date, calculated in accordance with applicable law, that takes into account that extension.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4428 differs from the original in minor or nonsubstantive ways to make a technical correction.