

BILL ANALYSIS

S.B. 1691
By: Fallon
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

A person who is protected by an active protective order or an active magistrate's emergency order of protection may choose to apply for a handgun license as a means of self-protection. There are concerns that such an applicant may not be able to afford to wait for the time it normally takes to process a handgun license application. S.B. 1691 seeks to provide for the expedited processing of such an applicant's handgun license application and for the waiving of any fees required for the issuance of the license to the applicant.

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

S.B. 1691 amends the Government Code to require the Department of Public Safety (DPS) to expedite an application for a handgun license, without charging a fee, for an applicant who submits with their completed application materials a copy of an active protective order or an active magistrate's emergency order of protection that indicates that the applicant is protected by the order. The bill requires DPS, as soon as practicable after the receipt of the materials, to issue the license or notify the applicant in writing that the application was denied on certain grounds and requires DPS to waive any fee required for the issuance of an original, duplicate, modified, or renewed handgun license for an applicant who submits to DPS a copy of such an order. The bill requires the public safety director of DPS to adopt policies for the expedited application processing.

S.B. 1691 establishes that DPS is required to implement a provision of the bill only if the legislature appropriates money specifically for that purpose. If the legislature does not make such a specific appropriation, DPS may, but is not required to, implement a provision of the bill using other appropriations available for that purpose.

EFFECTIVE DATE

September 1, 2019.