

**SUBJECT:** Reducing application and license fee for license to carry concealed handgun

**COMMITTEE:** Law Enforcement — favorable, without amendment

**VOTE:** 4 ayes — Driver, Garza, Hegar, Hupp  
0 nays  
3 absent — Burnam, Y. Davis, Keel

**WITNESSES:** For — Alice Tripp, Texas State Rifle Association  
Against — None

**BACKGROUND:** Under Government Code sec. 411.174(a), applicants for licenses to carry concealed handguns must submit to the Department of Public Safety (DPS) a nonrefundable application and license fee of \$140.

**DIGEST:** HB 2619 would reduce the nonrefundable application and license fee that must be submitted with an application for a license to carry a concealed handgun from \$140 to \$110.  
  
The bill would take effect September 1, 2003.

**SUPPORTERS SAY:** HB 2619 would adjust the fee charged for a concealed handgun license permit to better reflect the actual cost to DPS to implement the concealed handgun program. When the concealed handgun legislation was enacted in 1995 the fee was set at the level that it was estimated was needed to cover the cost of the program, but it was not intended to produce excess revenue.  
  
However, since 1995 the program has produced a surplus and funds have been returned to general revenue. HB 2619 would reduce the fee to \$110 so that income from the fee would adequately cover the program without generating excess revenue. The amount of revenue that would be generated with HB 2619 would be enough to continue to adequately run the program. Any loss of revenue over the excess that would have been turned back to the general revenue fund could be easily absorbed by the program's budget. It is

unfair for concealed handgun licensees to fund other state services and programs.

**OPPONENTS  
SAY:**

HB 2619 could leave DPS strapped for funds to adequately operate the concealed handgun licensing program. The program returned about \$29,000 to the general revenue fund in fiscal 2002 and about \$314,000 in fiscal 2001. However, these surplus are not excessive given that the program has an annual budget of about \$7 million. Recently DPS instituted new programs to improve the licensing records and procedures, including purchasing an image archive program and making some of the steps necessary to obtain a license available on-line. Cutting the program's budget by about \$726,000 per year, as estimated by the fiscal note, could make it difficult to maintain these programs and to ensure that other services did not become obsolete.

The Legislature should do nothing that could increase the number of handguns in Texas. Reducing the application and license fee could lead to more people applying for concealed handgun licenses and, therefore, more people carrying concealed handguns.

According to the bill's fiscal note, HB 2619 would result in a loss of almost \$1.5 million in general revenue related funds during fiscal 2004-05. In view of current fiscal conditions and the budget reductions proposed for the coming biennium, the state cannot afford this loss of revenue.