

SUBJECT: Revising eligibility for a license to carry a handgun for certain offenses

COMMITTEE: Community Safety, Select — favorable, without amendment

VOTE: 11 ayes — Guillen, Jarvis Johnson, Bowers, Burrows, Canales, Dorazio, Goodwin, Harless, Holland, Landgraf, Troxclair

0 nays

2 absent — T. King, Moody

WITNESSES: For — John Bolgiano; Gary Zimmerman (*Registered, but did not testify*: Angela Smith, Fredericksburg Tea Party; Leigh Gibson, Wesley Virdell, Gun Owners of America; Grace Chimene, League of Women Voters of Texas; Tara Mica, National Rifle Association; Nicole Golden, Texas Gun Sense; Mark Borskey, Texas State Rifle Association; and 10 individuals)

Against — (*Registered, but did not testify*: Greg Capers, Ray Scifres, Sheriffs' Association of Texas; Chris McNutt, Texas Gun Rights; Dallas Reed, Texas Municipal Police Association; AJ Louderback, Texas Sheriffs Regional Alliance; Joshua Medeiros, Young Conservative Federation; Delaina Bishop)

On — Jason Hester, Texas Department of Public Safety

BACKGROUND: Under Government Code sec. 411.1711, a person is not considered convicted if an order of deferred adjudication was entered against the person at least 10 years preceding the date of the person's application for a license to carry a handgun, with exceptions for an order that was entered against the person for certain offenses.

Some have suggested that an individual charged with certain robbery or burglary offenses should not be permanently ineligible for a handgun license if the individuals successfully completed a deferred adjudication.

DIGEST: HB 408 would revise the exempted offenses under Government Code sec.

411.1711. The bill would narrow the robbery offenses included on the list to only aggravated robbery and remove from the list a second-degree habitation felony.

The bill would take effect September 1, 2023, and would apply only to a determination of a person's eligibility for a license to carry a handgun that was made by DPS on or after that date.