

BILL ANALYSIS

Senate Research Center
76R3717 KEL-D

H.B. 592
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Criminal Justice
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Engrossed

DIGEST

Currently, the Department of Public Safety (DPS) certifies the licensing of handgun instructors. An instructor's certification may be denied, suspended, or revoked by DPS. However, the law does not specify a methodology by which DPS may perform a background check on instructors to determine whether or not a reason exists to take action against a certified handgun instructor. H.B. 592 would require DPS to conduct a background check of all applicants for certification as a qualified handgun instructor in the same manner as conducted of an applicant for a license to carry a concealed handgun.

PURPOSE

As proposed, H.B. 592 requires DPS to conduct a background check of a person who applies for certifications as a qualified handgun instructor.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 411.190(c), Government Code, to require the Department of Public Safety (DPS) to conduct a background check of an applicant for certification as a qualified handgun instructor in a manner applicable to the applicant for a license to carry a concealed handgun. Prohibits DPS from issuing a certificate if the background check indicates that the applicant would not qualify to receive a handgun license. Requires DPS to provide handgun instructor training to a qualified applicant. Makes nonsubstantive changes.

SECTION 2. Provides that the text of Section 411.190(c), Government Code, gives effect to changes made by Section 12, Chapter 1261, Acts of the 75th Legislature, relating to nonsubstantive additions and corrections, in accordance with Section 311.031(c), Government Code. Provides that this Act prevails over another Act of the 76th Legislature, Regular Session, relating to nonsubstantive additions and corrections in enacted codes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.