

**BILL ANALYSIS**

Senate Research Center  
80R5644 JPL-F

S.B. 745  
By: Seliger  
Criminal Justice  
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As Filed

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 1704, enacted by the 78<sup>th</sup> Legislature, Regular Session, 2003, added a provision to the Government Code that required the Department of Public Safety (DPS) to consider a concealed handgun license (license) applicant's offenses as they were classified in Texas law at the time of application for the license. Prior to this bill, DPS considered the offenses on a person's record as they were classified at the time of conviction, and the bill's intent was to allow persons convicted of non-violent crimes once classified as felonies but classified by current law as misdemeanors to qualify for a license. However, a person who qualified and obtained a license prior to the bill's enactment and who is not a convicted felon but was convicted of an offense that has been reclassified as a felony cannot renew the person's license.

As proposed, S.B. 745 provides that a license holder who was convicted of an offense that was not considered to be a felony at the time of the original issuance of the license is entitled to renew the license unless convicted of a felony offense after the original issuance of the license.

**RULEMAKING AUTHORITY**

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

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 411.185, Government Code, by adding Subsection (e), to entitle, for the purposes of Subsections (c) and (d), a concealed handgun license holder who has otherwise met all the eligibility requirements and criteria for the renewal of an license to renew the license, in spite of a conviction of a felony offense, provided that the offense was not considered a felony for the purposes of Section 411.172 (Eligibility) at the time the original license was issued.

SECTION 2. Effective date: upon passage or September 1, 2007.