

## **BILL ANALYSIS**

Senate Research Center  
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H.B. 2739  
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State Affairs  
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Engrossed

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

Interested parties have expressed concern regarding situations in which a concealed handgun license is not accepted as official identification in lieu of a driver's license for access to certain goods, services, and facilities. The parties explain that the eligibility and verification requirements for obtaining a concealed handgun license are much more extensive than those involved in obtaining a driver's license and that the former requires a rigorous background check and proof that the person is at least 21 years of age, not chemically dependent, capable of exercising sound judgment, and has never been convicted of certain offenses. Therefore, the parties contend that a concealed handgun license should be accepted as valid proof of identification, with limited exceptions. H.B. 2739 seeks to address this concern.

H.B. 2739 amends the Business & Commerce Code to prohibit a person from denying the holder of a concealed handgun license access to goods, services, or facilities because the holder has or presents a concealed handgun license rather than a driver's license or other acceptable form of personal identification, except as provided by Transportation Code provisions relating to motor vehicle rentals or in regard to the operation of a motor vehicle. The bill establishes that the prohibition does not affect the types of identification required under federal law to access airport premises or pass through airport security or the requirement for a license holder who is carrying a handgun on or about the license holder's person when a magistrate or peace officer demands that the license holder display identification to display the license holder's driver's license or identification certificate issued by the Texas Department of Public Safety in addition to the license holder's concealed handgun license.

H.B. 2739 amends current law relating to the use of a concealed handgun license as valid proof of personal identification.

### **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 Subtitle A, Title 11, Business & Commerce Code, by adding Chapter 506, as follows:

#### **CHAPTER 506. CONCEALED HANDGUN LICENSES AS VALID FORMS OF PERSONAL IDENTIFICATION**

Sec. 506.001. CONCEALED HANDGUN LICENSE AS VALID PROOF OF IDENTIFICATION. (a) Prohibits a person from denying the holder of a concealed handgun license issued under Subchapter H (License to Carry a Concealed Handgun), Chapter 411, Government Code, access to goods, services, or facilities, except as provided by Section 521.460 (Motor Vehicle Rentals), Transportation Code, or in regard to the operation of a motor vehicle, because the holder has or presents a concealed handgun license rather than a driver's license or other acceptable form of personal identification.

(b) Provides that this section does not affect:

(1) the requirement under Section 411.205 (Requirement to Display License), Government Code, that a person subject to that section present a driver's license or identification certificate in addition to a concealed handgun license; or

(2) the types of identification required under federal law to access airport premises or pass through airport security.

SECTION 2. Effective date: September 1, 2015.