

## **BILL ANALYSIS**

Senate Research Center  
85R173 ADM-F

S.B. 138  
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State Affairs  
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As Filed

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

A person applying for a concealed handgun license must submit evidence of handgun proficiency as part of their application. This proficiency must be proven through the successful completion of a two-part handgun proficiency course administered by a certified firearms instructor. The first part of the course includes classroom instruction. The second part includes range instruction and demonstration.

Honorably discharged military service members who have completed a handgun training course as part of their service within five years of the date of their application for a license are exempt from the range instruction requirement.

Interested parties observe that not all honorably discharged military service members may have completed a handgun training course during their enlistment. While such individuals may not have received handgun training, they may have range-qualified with a firearm during their service. Range qualification involves extensive firearms training and practice, including safety education, by an service member. Interested parties contend that a service member who successfully completed range qualification with a firearm should be qualified to forgo the range instruction requirement for a concealed handgun license. The intent of S.B. 138 is to allow an honorably discharged service member who has completed range qualification as part of their service to be exempt from the requirement that they complete the range instruction portion of a handgun proficiency course for a concealed handgun license.

S.B. 138 also expands the window for an honorably discharged service member to qualify for the range instruction exemption from five to 10 years after they have completed their firearms training or range qualification during their enlistment. This change is intended to allow service members who enlist for longer periods of time to qualify for the range exemption qualification.

As proposed, S.B. 138 amends current law relating to the exemption from range instruction for certain persons applying to obtain a license to carry a handgun.

### **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 411.1881(a), Government Code, to increase from within five years to within 10 years the amount of time the person applying for a license to carry a handgun is exempt from completing the range instruction portion of the application, provided the person has completed, as part of the person's service with the armed forces or Texas military forces, a firearm, rather than handgun, proficiency or familiarization course, or a range qualification process for firearm usage. Makes conforming changes.

SECTION 2. Requires the director of the Texas Department of Public Safety to adopt the forms and procedures required by Section 411.1881 (Exemption From Instruction for Certain Persons), Government Code, as amended by this Act, no later than December 1, 2017.

SECTION 3. Makes application of this Act prospective to December 1, 2017.

SECTION 4. Effective date: September 1, 2017.