

House Bill 2365

Sponsored by Representatives THATCHER, MATTHEWS; Representatives HICKS, WEIDNER, Senator GEORGE
(Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes county sheriff to waive residency requirement for concealed handgun license if applicant resides in another state.

A BILL FOR AN ACT

1
2 Relating to concealed handgun licenses; amending ORS 166.291, 166.293 and 166.295.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 166.291 is amended to read:

5 166.291. (1) The sheriff of a county, upon a person's application for an Oregon concealed
6 handgun license, upon receipt of the appropriate fees and after compliance with the procedures set
7 out in this section, shall issue the person a concealed handgun license if the person:

8 (a)(A) Is a citizen of the United States; or

9 (B) Is a legal resident alien who can document continuous residency in the county for at least
10 six months and has declared in writing to the United States Citizenship and Immigration Services
11 the intent to acquire citizenship status and can present proof of the written declaration to the
12 sheriff at the time of application for the license;

13 (b) Is at least 21 years of age;

14 (c) Is a resident of the county;

15 (d) Has no outstanding warrants for arrest;

16 (e) Is not free on any form of pretrial release;

17 (f) Demonstrates competence with a handgun by any one of the following:

18 (A) Completion of any hunter education or hunter safety course approved by the State Depart-
19 ment of Fish and Wildlife or a similar agency of another state if handgun safety was a component
20 of the course;

21 (B) Completion of any National Rifle Association firearms safety or training course if handgun
22 safety was a component of the course;

23 (C) Completion of any firearms safety or training course or class available to the general public
24 offered by law enforcement, community college, or private or public institution or organization or
25 firearms training school utilizing instructors certified by the National Rifle Association or a law
26 enforcement agency if handgun safety was a component of the course;

27 (D) Completion of any law enforcement firearms safety or training course or class offered for
28 security guards, investigators, reserve law enforcement officers or any other law enforcement offi-
29 cers if handgun safety was a component of the course;

30 (E) Presents evidence of equivalent experience with a handgun through participation in organ-
31 ized shooting competition or military service;

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (F) Is licensed or has been licensed to carry a firearm in this state, unless the license has been
2 revoked; or

3 (G) Completion of any firearms training or safety course or class conducted by a firearms in-
4 structor certified by a law enforcement agency or the National Rifle Association if handgun safety
5 was a component of the course;

6 (g) Has never been convicted of a felony or found guilty, except for insanity under ORS 161.295,
7 of a felony;

8 (h) Has not been convicted of a misdemeanor or found guilty, except for insanity under ORS
9 161.295, of a misdemeanor within the four years prior to the application;

10 (i) Has not been committed to the Oregon Health Authority under ORS 426.130;

11 (j) Has not been found to be mentally ill and is not subject to an order under ORS 426.130 that
12 the person be prohibited from purchasing or possessing a firearm as a result of that mental illness;

13 (k) Has been discharged from the jurisdiction of the juvenile court for more than four years if,
14 while a minor, the person was found to be within the jurisdiction of the juvenile court for having
15 committed an act that, if committed by an adult, would constitute a felony or a misdemeanor in-
16 volving violence, as defined in ORS 166.470;

17 (L) Has not been convicted of an offense involving controlled substances or participated in a
18 court-supervised drug diversion program, except this disability does not operate to exclude a person
19 if:

20 (A) The person has been convicted only once of violating ORS 475.864 (3) and has not completed
21 a court-supervised drug diversion program under ORS 135.907; or

22 (B) The person has completed a court-supervised drug diversion program under ORS 135.907 and
23 has not been convicted of violating ORS 475.864 (3);

24 (m) Is not subject to a citation issued under ORS 163.735 or an order issued under ORS 30.866,
25 107.700 to 107.735 or 163.738;

26 (n) Has not received a dishonorable discharge from the Armed Forces of the United States; and

27 (o) Is not required to register as a sex offender in any state.

28 (2) A person who has been granted relief under ORS 166.274 or 166.293 or section 5, chapter 826,
29 Oregon Laws 2009, or 18 U.S.C. 925(c) or has had the person's record expunged under the laws of
30 this state or equivalent laws of other jurisdictions is not subject to the disabilities in subsection
31 (1)(g) to (L) of this section.

32 (3) Before the sheriff may issue a license:

33 (a) The application must state the applicant's legal name, current address and telephone number,
34 date and place of birth, hair and eye color and height and weight. The application must also list the
35 applicant's residence address or addresses for the previous three years. The application must contain
36 a statement by the applicant that the applicant meets the requirements of subsection (1) of this
37 section. The application may include the Social Security number of the applicant if the applicant
38 voluntarily provides this number. The application must be signed by the applicant.

39 (b) The applicant must submit to fingerprinting and photographing by the sheriff. The sheriff
40 shall fingerprint and photograph the applicant and shall conduct any investigation necessary to
41 corroborate the requirements listed under subsection (1) of this section. If a nationwide criminal
42 records check is necessary, the sheriff shall request the Department of State Police to conduct the
43 check, including fingerprint identification, through the Federal Bureau of Investigation. The Federal
44 Bureau of Investigation shall return the fingerprint cards used to conduct the criminal records
45 check and may not keep any record of the fingerprints. The Department of State Police shall report

1 the results of the fingerprint-based criminal records check to the sheriff. The Department of State
2 Police shall also furnish the sheriff with any information about the applicant that the Department
3 of State Police may have in its possession including, but not limited to, manual or computerized
4 criminal offender information.

5 (4) Application forms for concealed handgun licenses shall be supplied by the sheriff upon re-
6 quest. The forms shall be uniform throughout this state in substantially the following form:

7 _____
8
9 APPLICATION FOR LICENSE TO CARRY
10 CONCEALED HANDGUN

11 Date _____

12 I hereby declare as follows:

13 I am a citizen of the United States or a legal resident alien who can document continuous res-
14 idency in the county for at least six months and have declared in writing to the United States Cit-
15 izenship and Immigration Services my intention to become a citizen and can present proof of the
16 written declaration to the sheriff at the time of this application. I am at least 21 years of age. I have
17 been discharged from the jurisdiction of the juvenile court for more than four years if, while a mi-
18 nor, I was found to be within the jurisdiction of the juvenile court for having committed an act that,
19 if committed by an adult, would constitute a felony or a misdemeanor involving violence, as defined
20 in ORS 166.470. I have never been convicted of a felony or found guilty, except for insanity under
21 ORS 161.295, of a felony in the State of Oregon or elsewhere. I have not, within the last four years,
22 been convicted of a misdemeanor or found guilty, except for insanity under ORS 161.295, of a
23 misdemeanor. Except as provided in ORS 166.291 (1)(L), I have not been convicted of an offense in-
24 volving controlled substances or completed a court-supervised drug diversion program. There are
25 no outstanding warrants for my arrest and I am not free on any form of pretrial release. I have not
26 been committed to the Oregon Health Authority under ORS 426.130, nor have I been found mentally
27 ill and presently subject to an order prohibiting me from purchasing or possessing a firearm because
28 of mental illness. If any of the previous conditions do apply to me, I have been granted relief or wish
29 to petition for relief from the disability under ORS 166.274 or 166.293 or section 5, chapter 826,
30 Oregon Laws 2009, or 18 U.S.C. 925(c) or have had the records expunged. I am not subject to a ci-
31 tation issued under ORS 163.735 or an order issued under ORS 30.866, 107.700 to 107.735 or 163.738.
32 I have never received a dishonorable discharge from the Armed Forces of the United States. I am
33 not required to register as a sex offender in any state. I understand I will be fingerprinted and
34 photographed.

35
36 Legal name _____
37 Age _____ Date of birth _____
38 Place of birth _____
39 Social Security number _____

40 (Disclosure of your Social Security account number is voluntary. Solicitation of the number is au-
41 thorized under ORS 166.291. It will be used only as a means of identification.)

42
43 Proof of identification (Two pieces of current identification are required, one of which must bear a
44 photograph of the applicant. The type of identification and the number on the identification are to
45 be filled in by the sheriff.):

1 1. _____

2 2. _____

3

4 Height _____ Weight _____

5 Hair color _____ Eye color _____

6

7 Current address _____

8

(List residence addresses for the
past three years on the back.)

9

10

11 City _____ County _____ Zip _____

12 Phone _____

13

14 I have read the entire text of this application, and the statements therein are correct and true.
15 (Making false statements on this application is a misdemeanor.)

16

(Signature of Applicant)

17

18

19 Character references.

20

21

Name Address

22

23

Name Address

24

25 Approved _____ Disapproved _____ by _____

26

27 Competence with handgun demonstrated by _____ (to be filled in by sheriff)

28

29 Date _____ Fee Paid _____

30

31

32 (5)(a) Fees for concealed handgun licenses are:

33

(A) \$15 to the Department of State Police for conducting the fingerprint check of the applicant.

34

(B) \$50 to the sheriff for the issuance or renewal of a concealed handgun license.

35

(C) \$15 to the sheriff for the duplication of a license because of loss or change of address.

36

37 (b) The sheriff may enter into an agreement with the Department of Transportation to produce
the concealed handgun license.

38

39 (6) No civil or criminal liability shall attach to the sheriff or any authorized representative en-
40 gaged in the receipt and review of, or an investigation connected with, any application for, or in the
41 issuance, denial or revocation of, any license under ORS 166.291 to 166.295 as a result of the lawful
performance of duties under those sections.

42

43 (7) Immediately upon acceptance of an application for a concealed handgun license, the sheriff
44 shall enter the applicant's name into the Law Enforcement Data System indicating that the person
is an applicant for a concealed handgun license or is a license holder.

45

(8) The county sheriff may waive the residency requirement in subsection (1)(c) of this section

1 for a resident of [*a contiguous state who has a compelling business interest or other legitimate dem-*
 2 *onstrated need*] **another state.**

3 (9) For purposes of subsection (1)(c) of this section, a person is a resident of a county if the
 4 person:

5 (a) Has a current Oregon driver license issued to the person showing a residence address in the
 6 county;

7 (b) Is registered to vote in the county and has a memorandum card issued to the person under
 8 ORS 247.181 showing a residence address in the county;

9 (c) Has documentation showing that the person currently leases or owns real property in the
 10 county; or

11 (d) Has documentation showing that the person filed an Oregon tax return for the most recent
 12 tax year showing a residence address in the county.

13 **SECTION 2.** ORS 166.291, as amended by section 10, chapter 826, Oregon Laws 2009, and sec-
 14 tion 34, chapter 547, Oregon Laws 2011, is amended to read:

15 166.291. (1) The sheriff of a county, upon a person's application for an Oregon concealed
 16 handgun license, upon receipt of the appropriate fees and after compliance with the procedures set
 17 out in this section, shall issue the person a concealed handgun license if the person:

18 (a)(A) Is a citizen of the United States; or

19 (B) Is a legal resident alien who can document continuous residency in the county for at least
 20 six months and has declared in writing to the United States Citizenship and Immigration Services
 21 the intent to acquire citizenship status and can present proof of the written declaration to the
 22 sheriff at the time of application for the license;

23 (b) Is at least 21 years of age;

24 (c) Is a resident of the county;

25 (d) Has no outstanding warrants for arrest;

26 (e) Is not free on any form of pretrial release;

27 (f) Demonstrates competence with a handgun by any one of the following:

28 (A) Completion of any hunter education or hunter safety course approved by the State Depart-
 29 ment of Fish and Wildlife or a similar agency of another state if handgun safety was a component
 30 of the course;

31 (B) Completion of any National Rifle Association firearms safety or training course if handgun
 32 safety was a component of the course;

33 (C) Completion of any firearms safety or training course or class available to the general public
 34 offered by law enforcement, community college, or private or public institution or organization or
 35 firearms training school utilizing instructors certified by the National Rifle Association or a law
 36 enforcement agency if handgun safety was a component of the course;

37 (D) Completion of any law enforcement firearms safety or training course or class offered for
 38 security guards, investigators, reserve law enforcement officers or any other law enforcement offi-
 39 cers if handgun safety was a component of the course;

40 (E) Presents evidence of equivalent experience with a handgun through participation in organ-
 41 ized shooting competition or military service;

42 (F) Is licensed or has been licensed to carry a firearm in this state, unless the license has been
 43 revoked; or

44 (G) Completion of any firearms training or safety course or class conducted by a firearms in-
 45 structor certified by a law enforcement agency or the National Rifle Association if handgun safety

1 was a component of the course;

2 (g) Has never been convicted of a felony or found guilty, except for insanity under ORS 161.295,
3 of a felony;

4 (h) Has not been convicted of a misdemeanor or found guilty, except for insanity under ORS
5 161.295, of a misdemeanor within the four years prior to the application;

6 (i) Has not been committed to the Oregon Health Authority under ORS 426.130;

7 (j) Has not been found to be mentally ill and is not subject to an order under ORS 426.130 that
8 the person be prohibited from purchasing or possessing a firearm as a result of that mental illness;

9 (k) Has been discharged from the jurisdiction of the juvenile court for more than four years if,
10 while a minor, the person was found to be within the jurisdiction of the juvenile court for having
11 committed an act that, if committed by an adult, would constitute a felony or a misdemeanor in-
12 volving violence, as defined in ORS 166.470;

13 (L) Has not been convicted of an offense involving controlled substances or participated in a
14 court-supervised drug diversion program, except this disability does not operate to exclude a person
15 if:

16 (A) The person has been convicted only once of violating ORS 475.864 (3) and has not completed
17 a court-supervised drug diversion program under ORS 135.907; or

18 (B) The person has completed a court-supervised drug diversion program under ORS 135.907 and
19 has not been convicted of violating ORS 475.864 (3);

20 (m) Is not subject to a citation issued under ORS 163.735 or an order issued under ORS 30.866,
21 107.700 to 107.735 or 163.738;

22 (n) Has not received a dishonorable discharge from the Armed Forces of the United States; and

23 (o) Is not required to register as a sex offender in any state.

24 (2) A person who has been granted relief under ORS 166.274 or 166.293 or 18 U.S.C. 925(c) or
25 has had the person's record expunged under the laws of this state or equivalent laws of other ju-
26 risdictions is not subject to the disabilities in subsection (1)(g) to (L) of this section.

27 (3) Before the sheriff may issue a license:

28 (a) The application must state the applicant's legal name, current address and telephone number,
29 date and place of birth, hair and eye color and height and weight. The application must also list the
30 applicant's residence address or addresses for the previous three years. The application must contain
31 a statement by the applicant that the applicant meets the requirements of subsection (1) of this
32 section. The application may include the Social Security number of the applicant if the applicant
33 voluntarily provides this number. The application must be signed by the applicant.

34 (b) The applicant must submit to fingerprinting and photographing by the sheriff. The sheriff
35 shall fingerprint and photograph the applicant and shall conduct any investigation necessary to
36 corroborate the requirements listed under subsection (1) of this section. If a nationwide criminal
37 records check is necessary, the sheriff shall request the Department of State Police to conduct the
38 check, including fingerprint identification, through the Federal Bureau of Investigation. The Federal
39 Bureau of Investigation shall return the fingerprint cards used to conduct the criminal records
40 check and may not keep any record of the fingerprints. The Department of State Police shall report
41 the results of the fingerprint-based criminal records check to the sheriff. The Department of State
42 Police shall also furnish the sheriff with any information about the applicant that the Department
43 of State Police may have in its possession including, but not limited to, manual or computerized
44 criminal offender information.

45 (4) Application forms for concealed handgun licenses shall be supplied by the sheriff upon re-

1 quest. The forms shall be uniform throughout this state in substantially the following form:

2
3
4 APPLICATION FOR LICENSE TO CARRY
5 CONCEALED HANDGUN

6 Date _____

7 I hereby declare as follows:

8 I am a citizen of the United States or a legal resident alien who can document continuous res-
9 idency in the county for at least six months and have declared in writing to the United States Cit-
10 izenship and Immigration Services my intention to become a citizen and can present proof of the
11 written declaration to the sheriff at the time of this application. I am at least 21 years of age. I have
12 been discharged from the jurisdiction of the juvenile court for more than four years if, while a mi-
13 nor, I was found to be within the jurisdiction of the juvenile court for having committed an act that,
14 if committed by an adult, would constitute a felony or a misdemeanor involving violence, as defined
15 in ORS 166.470. I have never been convicted of a felony or found guilty, except for insanity under
16 ORS 161.295, of a felony in the State of Oregon or elsewhere. I have not, within the last four years,
17 been convicted of a misdemeanor or found guilty, except for insanity under ORS 161.295, of a
18 misdemeanor. Except as provided in ORS 166.291 (1)(L), I have not been convicted of an offense in-
19 volving controlled substances or completed a court-supervised drug diversion program. There are
20 no outstanding warrants for my arrest and I am not free on any form of pretrial release. I have not
21 been committed to the Oregon Health Authority under ORS 426.130, nor have I been found mentally
22 ill and presently subject to an order prohibiting me from purchasing or possessing a firearm because
23 of mental illness. If any of the previous conditions do apply to me, I have been granted relief or wish
24 to petition for relief from the disability under ORS 166.274 or 166.293 or 18 U.S.C. 925(c) or have
25 had the records expunged. I am not subject to a citation issued under ORS 163.735 or an order is-
26 sued under ORS 30.866, 107.700 to 107.735 or 163.738. I have never received a dishonorable discharge
27 from the Armed Forces of the United States. I am not required to register as a sex offender in any
28 state. I understand I will be fingerprinted and photographed.

29
30 Legal name _____
31 Age _____ Date of birth _____
32 Place of birth _____
33 Social Security number _____

34 (Disclosure of your Social Security account number is voluntary. Solicitation of the number is au-
35 thorized under ORS 166.291. It will be used only as a means of identification.)

36
37 Proof of identification (Two pieces of current identification are required, one of which must bear a
38 photograph of the applicant. The type of identification and the number on the identification are to
39 be filled in by the sheriff.):

- 40 1. _____
41 2. _____

42
43 Height _____ Weight _____
44 Hair color _____ Eye color _____

1 Current address _____

(List residence addresses for the
past three years on the back.)

5 City _____ County _____ Zip _____

6 Phone _____

8 I have read the entire text of this application, and the statements therein are correct and true.
9 (Making false statements on this application is a misdemeanor.)

(Signature of Applicant)

13 Character references.

14 _____
15 Name: Address
16 _____

17 Name: Address
18 _____

19 Approved _____ Disapproved _____ by _____

21 Competence with handgun demonstrated by _____ (to be filled in by sheriff)

22 Date _____ Fee Paid _____

23 License No. _____
24 _____

- 26 (5)(a) Fees for concealed handgun licenses are:
 - 27 (A) \$15 to the Department of State Police for conducting the fingerprint check of the applicant.
 - 28 (B) \$50 to the sheriff for the issuance or renewal of a concealed handgun license.
 - 29 (C) \$15 to the sheriff for the duplication of a license because of loss or change of address.
- 30 (b) The sheriff may enter into an agreement with the Department of Transportation to produce
 - 31 the concealed handgun license.
- 32 (6) No civil or criminal liability shall attach to the sheriff or any authorized representative en-
 - 33 gaged in the receipt and review of, or an investigation connected with, any application for, or in the
 - 34 issuance, denial or revocation of, any license under ORS 166.291 to 166.295 as a result of the lawful
 - 35 performance of duties under those sections.
- 36 (7) Immediately upon acceptance of an application for a concealed handgun license, the sheriff
 - 37 shall enter the applicant's name into the Law Enforcement Data System indicating that the person
 - 38 is an applicant for a concealed handgun license or is a license holder.
- 39 (8) The county sheriff may waive the residency requirement in subsection (1)(c) of this section
 - 40 for a resident of *[a contiguous state who has a compelling business interest or other legitimate dem-*
 - 41 *onstrated need]* **another state.**
- 42 (9) For purposes of subsection (1)(c) of this section, a person is a resident of a county if the
 - 43 person:
 - 44 (a) Has a current Oregon driver license issued to the person showing a residence address in the
 - 45 county;

1 (b) Is registered to vote in the county and has a memorandum card issued to the person under
 2 ORS 247.181 showing a residence address in the county;

3 (c) Has documentation showing that the person currently leases or owns real property in the
 4 county; or

5 (d) Has documentation showing that the person filed an Oregon tax return for the most recent
 6 tax year showing a residence address in the county.

7 **SECTION 3.** ORS 166.293 is amended to read:

8 166.293. (1) If the application for the concealed handgun license is denied, the sheriff shall set
 9 forth in writing the reasons for the denial. The denial shall be sent to the applicant by certified mail,
 10 restricted delivery, within 45 days after the application was made. If no decision is issued within
 11 45 days, the person may seek review under the procedures in subsection (5) of this section.

12 (2) Notwithstanding ORS 166.291 (1), and subject to review as provided in subsection (5) of this
 13 section, a sheriff may deny a concealed handgun license if the sheriff has reasonable grounds to
 14 believe that the applicant has been or is reasonably likely to be a danger to self or others, or to the
 15 community at large, as a result of the applicant's mental or psychological state or as demonstrated
 16 by the applicant's past pattern of behavior involving unlawful violence or threats of unlawful vi-
 17 olence.

18 (3)(a) Any act or condition that would prevent the issuance of a concealed handgun license is
 19 cause for revoking a concealed handgun license.

20 (b) A sheriff may revoke a concealed handgun license by serving upon the licensee a notice of
 21 revocation. The notice must contain the grounds for the revocation and must be served either per-
 22 sonally or by certified mail, restricted delivery. The notice and return of service shall be included
 23 in the file of the licensee. The revocation is effective upon the licensee's receipt of the notice.

24 (4) Any peace officer or corrections officer may seize a concealed handgun license and return
 25 it to the issuing sheriff if the license is held by a person who has been arrested or cited for a crime
 26 that can or would otherwise disqualify the person from being issued a concealed handgun license.
 27 The issuing sheriff shall hold the license for 30 days. If the person is not charged with a crime
 28 within the 30 days, the sheriff shall return the license unless the sheriff revokes the license as
 29 provided in subsection (3) of this section.

30 (5) A person denied a concealed handgun license or whose license is revoked or not renewed
 31 under ORS 166.291 to 166.295 may petition the circuit court [*in the petitioner's county of residence*]
 32 to review the denial, nonrenewal or revocation. The petition must be filed **in the county in which**
 33 **the application is denied or in which the license is not renewed or revoked, no later than**
 34 [*within*] 30 days after the receipt of the notice of denial, **nonrenewal** or revocation.

35 (6) The judgment affirming or overturning the sheriff's decision shall be based on whether the
 36 petitioner meets the criteria that are used for issuance of a concealed handgun license and, if the
 37 petitioner was denied a concealed handgun license, whether the sheriff has reasonable grounds for
 38 denial under subsection (2) of this section. Whenever the petitioner has been previously sentenced
 39 for a crime under ORS 161.610 or for a crime of violence for which the person could have received
 40 a sentence of more than 10 years, the court shall grant relief only if the court finds that relief
 41 should be granted in the interest of justice.

42 (7) Notwithstanding the provisions of ORS 9.320, a corporation, the state or any city, county,
 43 district or other political subdivision or public corporation in this state, without appearance by at-
 44 torney, may appear as a party to an action under this section.

45 (8) Petitions filed under this section shall be heard and disposed of within 15 judicial days of

1 filing or as soon as practicable thereafter.

2 (9) Filing fees for actions shall be as for any civil action filed in the court. If the petitioner
 3 prevails, the amount of the filing fee shall be paid by the respondent to the petitioner and may be
 4 incorporated into the court order.

5 (10) Initial appeals of petitions shall be heard de novo.

6 (11) Any party to a judgment under this section may appeal to the Court of Appeals in the same
 7 manner as for any other civil action.

8 (12) If the governmental entity files an appeal under this section and does not prevail, it shall
 9 be ordered to pay the attorney fees for the prevailing party.

10 **SECTION 4.** ORS 166.295 is amended to read:

11 166.295. (1)(a) A concealed handgun license is renewable by repeating the procedures set out in
 12 ORS 166.291 and 166.292, except for the requirement to submit fingerprints and provide character
 13 references. A licensee may submit the application for renewal **electronically or** by mail. *[if the*
 14 *licensee:]*

15 *[(A) Is an active member of the Armed Forces of the United States, the National Guard of the*
 16 *United States or the Oregon National Guard; and]*

17 *[(B) Submits with the application proof of the licensee's military orders and a copy of the licensee's*
 18 *military identification.]*

19 **(b) A licensee who renews a concealed handgun license under paragraph (a) of this sub-**
 20 **section may submit a photograph to the sheriff electronically or by mail in accordance with**
 21 **specifications established by the sheriff.**

22 **(2)** An otherwise expired concealed handgun license continues to be valid for up to 45 days after
 23 the licensee applies for renewal if:

24 *[(A)] (a)* The licensee applies for renewal before the original license expires;

25 *[(B)] (b)* The licensee has proof of the application for renewal; and

26 *[(C)] (c)* The application for renewal has not been denied.

27 **[(2)] (3)** If a licensee changes residence, the licensee shall report the change of address and the
 28 sheriff shall issue a new license as a duplication for a change of address. The license shall expire
 29 upon the same date as would the original.

30