

SUBJECT: Texas Commission on Private Security revisions

COMMITTEE: Public Safety — favorable, without amendment

VOTE: 5 ayes — B. Turner, Berman, Driver, Gutierrez, P. King
0 nays
4 absent — Keel, Hupp, Isett, Villarreal

SENATE VOTE: On final passage, April 30 — voice vote

WITNESSES: For — Bob Burt, Keith Oakley, and Walter Roberts, ASSIST; Ron Kessler, Texas Burglar and Fire Alarm Association
Against — None
On — Jerry McGlasson, Texas Commission on Private Security

BACKGROUND: Occupations Code, ch. 1702 establishes guidelines for the Texas Commission on Private Security. The commission originally was created by the Legislature in 1969 to license businesses and people in the investigation and security industry and to provide a means of regulating both the licensed community and enforcing laws against unlicensed operators. The commission requires companies and individuals seeking a license to undergo criminal history checks, meet educational standards, and answer to an administrative hearings process when agency personnel file allegations of statutory violations or board rules.

DIGEST: SB 1224 would make various revisions to the Occupations Code relating to the Texas Commission on Private Security (TCPS).
The bill would include in the definition of an “alarm system” an electronic key pad with a panic alarm, a motion camera, and a central computer access system for a building, and would delete a television camera. It would add an audible alarm to the definition of a “detection device”. A “letter of authority” would mean a permit entitling a private security department to

employ a commissioned or non-commissioned security officer. An “extra job coordinator” would be defined as a peace officer who was employed by or who scheduled other officers who were employed by the state or a political subdivision of the state.

The TCPS could commission investigators who were employed by TCPS as full-time peace officers.

The bill would strike provisions that prohibited fees collected by TCPS from producing unnecessary fund balances, that listed maximum amounts for fees, and that authorized TCPS to charge a fee for processing resubmitted fingerprints for applications.

SB 1224 would establish that a person was considered to be an alarm systems company if the person consulted with a person in order to sell, install, service, monitor, or respond to an alarm system or detection device. A person would be considered a security salesperson if the person offered to sell, service, or install an alarm system or a detection device.

An applicant for an investigations company license or the applicant’s manager would have to have three years of experience, and the experience would have to have been obtained legally. An applicant for security services contractor license or the applicant’s manager would have to have two years of experience.

TCPS would be required to develop a continuing education course in handgun proficiency for security officer commission renewals. Only a commission-approved instructor could teach the course. The bill would establish guidelines for the course. A commissioned security officer would be required to demonstrate handgun proficiency within 90 days before the commission was renewed.

This chapter of the Occupations Code would apply to anyone who conducted an investigation if it involved someone who was not employed by the same employer as the investigator and did not take place on the premises of the employer.

SB 1224 would repeal the following sections of the Occupations Code:

- ! sec. 1702.166, which establishes that a security officer was limited to one named county and its contiguous counties unless a broader geographical scope were considered necessary and was therefore issued by TCPS in concurrence with the Department of Public Safety; and
- ! sec. 281, which requires TCPS to notify to the sheriff of the county and the chief of police of the principal municipality of the county in which a security officer resided of the issuance, revocation, reinstatement, or expiration of a license, registration, or commission.

The bill would amend either Vernon's Civil Statutes or the Occupations Code, depending on whether HB 2812 by Wolens, making conforming changes to statutes enacted last session, is enacted.

This bill would take effect September 1, 2001.

**SUPPORTERS
SAY:**

SB 1224 is a clean-up bill that is needed to remedy confusion arising from revisions made to the code by last session's sunset bill for the commission, HB 2617 by Bosse. It would eliminate unnecessary provisions and help streamline the agency's operations by making standard changes such as eliminating specific fees in statute and allowing the commission to set the amounts as needed.

**OPPONENTS
SAY:**

No apparent opposition.