

By: Clardy

H.B. No. 2886

A BILL TO BE ENTITLED

AN ACT

relating to the designation of a company representative for purposes of compliance with the Private Security Act.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section [1702.002](#), Occupations Code, is amended by adding subsection (5-d) to read as follows:

Sec. 1702.002. DEFINITIONS. In this chapter:

(5-d) "Company representative" means the individual to whom the department may direct all correspondence and on whom the department may rely to ensure the company's compliance with all requirements of this chapter.

SECTION 2. Chapter [1702](#), Occupations Code, is amended by adding section 1702.1131 to read as follows:

Sec. 1702.1131. COMPANY REPRESENTATIVE LICENSE. (a) An individual must apply for and obtain from the department a company representative license as provided under this section in order to serve as a company representative.

(b) An applicant for a company representative license must successfully complete the examination as provided in Section [1702.117](#).

(c) An applicant for a company representative license is not required to meet the applicable experience requirements for company licensure provided by this chapter.

(d) An application for a company representative license

1 under this chapter must be in the form prescribed by the department
2 and include:

3 (1) the full name and business address of the
4 applicant; and

5 (2) a statement as to whether the applicant is an
6 individual who is applying for or has applied for a company license,
7 or is an individual applying to be the company representative for an
8 entity other than an individual who is applying for or has applied
9 for a company license.

10 (e) An applicant for a company license who is an individual
11 and who obtains a company representative license under this section
12 will be the company representative for all purposes relating to the
13 administration of this chapter.

14 (f) An applicant for a company license that is an entity
15 other than an individual must designate an individual who is
16 licensed under this section to be the company representative.
17 Formal documentation reflecting the individual's status with the
18 applicant and confirming that the individual has applied for a
19 company representative license must be submitted to the department
20 in conjunction with the company license application.

21 (f-1) The individual designated by the applicant for a
22 company license to be the company representative under subsection
23 (f) is not required to be an officer who is to oversee the
24 security-related aspects of the business, or to be a partner or
25 shareholder who owns any specific percentage interest in the
26 applicant.

27 SECTION 3. Section [1702.221\(b\)](#), Occupations Code, is

1 amended to read as follows:

2 Sec. 1702.221. INDIVIDUAL LICENSE REQUIRED.

3 (b) An individual must obtain the appropriate individual
4 license in accordance with the requirements of this chapter and
5 related administrative rules if the individual:

6 (1) is employed as:

7 (A) an alarm instructor;

8 (B) an alarm systems installer;

9 (C) an alarm systems monitor;

10 (D) an electronic access control device
11 installer;

12 (E) a level 3 classroom or firearm instructor;

13 (F) a locksmith;

14 (G) a noncommissioned security officer;

15 (H) a level 4 personal protection instructor;

16 (I) a company representative;

17 (J) a private investigator; or

18 (~~(J)~~K) an individual whose duties include
19 performing another activity for which an individual license is
20 required under Subsection (e); or

21 (2) is an owner who owns at least a 51 percent interest
22 in a company license holder.

23 SECTION 4. This Act takes effect September 1, 2021.