

Amend CSSB 1952 by striking Section 1P.01 of the bill (page 45, line 22, through page 46, line 9) and substituting:

SECTION 1P.01. Section 1702.002, Occupations Code, is amended by adding Subdivisions (1-a) and (5-a) to read as follows:

(1-a) "Board" means the Texas Private Security Board.

(5-a) "Department" means the Department of Public Safety of the State of Texas.

SECTION 1P.02. Subchapter A, Chapter 1702, Occupations Code, is amended by adding Section 1702.005 to read as follows:

Sec. 1702.005. DEPARTMENT OF PUBLIC SAFETY. (a) The board created under Section 1702.021 is a part of the department. The department shall administer this chapter through the board.

(b) A reference in this chapter or another law to the Texas Commission on Private Security means the board.

SECTION 1P.03. Section 1702.021(a), Occupations Code, is amended to read as follows:

(a) The Texas [~~Commission on~~] Private Security Board consists of seven [~~nine~~] members appointed by the governor with the advice and consent of the senate as follows:

(1) four [~~five~~] public members, each of whom is a citizen of the United States;

(2) one member who [~~+~~]  
[~~(A)~~] is licensed under this chapter as a private investigator;

[~~(B) has been engaged as a private investigator for at least the five years preceding appointment, and~~

[~~(C) is not employed by a person who employs another member of the commission,~~]

(3) one member who is licensed under this chapter as an alarm systems company; and [~~who+~~

[~~(A) has been engaged as an alarm systems company for at least the five years preceding appointment, and~~

[~~(B) is not employed by a person who employs another member of the commission,~~]

(4) one member who [~~+~~]  
[~~(A)~~] is licensed under this chapter as the owner or operator of a guard company[~~+~~

~~[(B) has been the owner or operator of the guard company for at least the five years preceding appointment, and~~

~~[(C) is not employed by a person who employs another member of the commission, and~~

~~[(5) one member who:~~

~~[(A) holds a license, security officer commission, or registration under this chapter,~~

~~[(B) has been engaged in activity regulated by the commission under this chapter for at least the five years preceding appointment, and~~

~~[(C) is not employed by a person who employs another member of the commission].~~

SECTION 1P.04. Section 1702.025(a), Occupations Code, is amended to read as follows:

(a) The appointed board ~~[commission]~~ members serve staggered six-year terms, with the terms of two or three appointed members expiring on January 31 of each odd-numbered year.

SECTION 1P.05. Not later than November 1, 2003, the governor shall appoint the members of the Texas Private Security Board, as required under Section 1702.021, Occupations Code, as amended by this Act. The governor shall stagger the terms of the initial board members, as required under Section 1702.025, Occupations Code, as amended by this Act.

SECTION 1P.06. (a) On November 1, 2003:

(1) all functions and activities performed by the Texas Commission on Private Security immediately before that date are transferred to the Texas Private Security Board of the Department of Public Safety of the State of Texas;

(2) a rule or form adopted by the Texas Commission on Private Security is a rule or form of the Texas Private Security Board and remains in effect until amended or replaced by that board;

(3) a reference in law or an administrative rule to the Texas Commission on Private Security means the Texas Private Security Board;

(4) a complaint, investigation, or other proceeding before the Texas Commission on Private Security is transferred without change in status to the Texas Private Security Board, and

the Texas Private Security Board assumes, as appropriate and without a change in status, the position of the Texas Commission on Private Security in an action or proceeding to which the Texas Commission on Private Security is a party;

(5) all money, contracts, leases, property, and obligations of the Texas Commission on Private Security are transferred to the Texas Private Security Board;

(6) all property in the custody of the Texas Commission on Private Security is transferred to the Texas Private Security Board; and

(7) the unexpended and unobligated balance of any money appropriated by the legislature for the Texas Commission on Private Security is transferred to the Texas Private Security Board.

(b) Before November 1, 2003, the Texas Commission on Private Security may agree with the Department of Public Safety of the State of Texas to transfer any property of the Texas Commission on Private Security to the Department of Public Safety of the State of Texas to implement the transfer required by this Act.

(c) In the period beginning on the effective date of this Act and ending on November 1, 2003, the Texas Commission on Private Security shall continue to perform functions and activities under Chapter 1702, Occupations Code, as if that chapter had not been amended by this Act, and the former law is continued in effect for that purpose.