

BILL ANALYSIS

Senate Research Center
78R10332 MXM-F

H.B. 1769
By: Driver (Shapiro)
Criminal Justice
5/18/2003
Engrossed

DIGEST AND PURPOSE

Currently, the Texas Commission on Private Security is responsible for regulating certain occupations such as investigators and security officers. H.B. 1769 amends sections of the Occupations Code to clarify provisions regarding the Texas Commission on Private Security.

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 1702.062, Government Code, by adding Subsection (c) to provide that a person whose pocket card has not expired is not eligible to receive from the Texas Commission on Private Security (commission) another pocket card in the same classification in which the pocket card is held.

SECTION 2. Amends Section 1702.309(a), Occupations Code, to delete text specifying that the continuing education course the commission by rule is required to develop is in handgun proficiency. Requires the course to include at least six, rather than four, hours of instruction determined by the director of the commission, rather than one or more of the subjects listed in Sections 1702.1675(g). Deletes text regarding other information the director determines is appropriate.

SECTION 3. Amends Section 1702.323, Occupations Code, by amending Subsections (a) and (d) and adding Subsection (e), as follows:

(a) Establishes that, except as provided by Subsections (b), (d), and (e), this chapter does not apply to an individual employed in an employee-employer relationship exclusively and regularly by one employer in connection with the affairs of the employer.

(d) Provides that this chapter applies to certain individual described by Subsection (a).

(e) Provides that this chapter applies to any person who conducts an investigation if the investigation involves a person, or the affairs of a person, who is not employed by the same employer as the person conducting the investigation and the investigation is not conducted on the premises of the employer. Establishes that premises of the employer include walkways, parking areas, and other areas relating to the affairs of the employer.

SECTION 4. Repealer: Section 1702.166, Occupations Code (Geographic Scope of Security Officer Commission).

Repealer: Section 1702.281, Occupations Code (Notice to Law Enforcement).

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2003.