

BILL ANALYSIS

Senate Research Center
78R8004 T

S.B. 943
By: Williams
Business & Commerce
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As Filed

DIGEST AND PURPOSE

The Texas Commission on Private Security (TCPS) licenses and regulates private investigation services and security services. The Private Security Act prohibits a person from engaging in the business activity of an investigation company unless the person holds a license issued by TCPS. Mystery shopping is a business practice used to improve business operational and service quality through the use of anonymous resources. The broad interpretation of current statute requires that certain mystery shoppers be licensed under the Act. As proposed, S.B. 943 exempts a person who engages in certain business evaluation services from the Private Security Act.

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 Chapter 1702N, Occupations Code, by adding Section 1702.331, as follows:

Sec. 1702.331. BUSINESS EVALUATION SERVICE. (a) Exempts from this chapter a person engaged in the business of providing the services of one or more individuals who pose or act anonymously as a customer or client of a business or governmental entity, or the individual or individuals who perform such acts, for the purpose of providing to the business or governmental entity certain evaluation services.

SECTION 2. Effective date: upon passage or September 1, 2003.