

By: Driver

H.B. No. 1769

Substitute the following for H.B. No. 1769:

By: Allen

C.S.H.B. No. 1769

A BILL TO BE ENTITLED

1

AN ACT

2 relating to occupations regulated by the Texas Commission on  
3 Private Security.

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

5 SECTION 1. Section 1702.062, Occupations Code, is amended  
6 by adding Subsection (c) to read as follows:

7 (c) A person whose pocket card has not expired is not  
8 eligible to receive from the commission another pocket card in the  
9 same classification in which the pocket card is held.

10 SECTION 2. Section 1702.309(a), Occupations Code, is  
11 amended to read as follows:

12 (a) The commission by rule shall develop a continuing  
13 education course [~~in handgun proficiency~~] required for renewal of a  
14 security officer commission. Only a commission-approved  
15 instructor may administer the continuing education course. The  
16 course must include[+]

17 [~~(1)~~] at least six [~~four~~] hours of instruction  
18 determined by the director of the commission [~~on one or more of the~~  
19 ~~subjects listed in Section 1702.1675(g), and~~

20 [~~(2) other information that the director determines is~~  
21 ~~appropriate~~].

22 SECTION 3. Section 1702.323, Occupations Code, is amended  
23 by amending Subsections (a) and (d) and adding Subsection (e) to  
24 read as follows:

1 (a) Except as provided by Subsections (b), ~~and~~ (d), and  
2 (e), this chapter does not apply to an individual employed in an  
3 employee-employer relationship exclusively and regularly by one  
4 employer in connection with the affairs of the employer.

5 (d) This chapter applies to an individual described by  
6 Subsection (a) who ~~+~~

7 ~~[(1) works at a location that is open to the public,~~  
8 ~~and~~

9 ~~[(2)]~~ in the course of employment:

10 (1) [(A) regularly] comes into contact with the  
11 public; ~~and~~

12 (2) [(B)] wears a uniform with any type of badge  
13 commonly associated with security personnel or law enforcement or a  
14 patch or apparel with "security" ~~[or the name of the employer]~~ on  
15 the patch or apparel; or

16 (3) performs a duty described by Section 1702.222.

17 (e) This chapter applies to any person who conducts an  
18 investigation if the investigation involves a person, or the  
19 affairs of a person, who is not employed by the same employer as the  
20 person conducting the investigation and the investigation is not  
21 conducted on the premises of the employer. Premises of the employer  
22 include walkways, parking areas, and other areas relating to the  
23 affairs of the employer.

24 SECTION 4. The following laws are repealed:

25 (1) Section 1702.166, Occupations Code; and

26 (2) Section 1702.281, Occupations Code.

27 SECTION 5. The changes in law made by this Act apply only to

1 a license, certification, registration, commission, or letter of  
2 authority that is originally issued or renewed on or after the  
3 effective date of this Act. An issuance or renewal that occurs  
4 before the effective date of this Act is governed by the law in  
5 effect immediately before the effective date of this Act, and the  
6 former law is continued in effect for that purpose.

7 SECTION 6. This Act takes effect September 1, 2003.