

## **BILL ANALYSIS**

Senate Research Center  
80R12327 MSE-D

C.S.S.B. 949  
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Business & Commerce  
3/28/2007  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under a nuisance abatement plan, a city requires a business property owner to implement a variety of crime reduction actions, such as installing security cameras, security gates, or hiring onsite personnel to patrol the property. Currently, there is no law prohibiting the city from requiring a business property owner to contract with particular security services, in particular, off-duty peace officers, in implementing a nuisance abatement plan. The business property owner may be prosecuted by the city for violation of the public nuisance statute, Chapter 125 (Common and Public Nuisances), Civil Practice & Remedies Code, if the business property owner fails to comply with the city's plan.

In some instances, business property owners have been required to hire off-duty peace officers instead of licensed security officers in order to comply with the proposed nuisance abatement plan. While many property owners utilize the services of off-duty peace officers, often times the availability and affordability of a licensed security service is a more favorable option.

C.S.S.B. 949 prohibits a political subdivision from requiring a private business to contract with or employ a peace officer when satisfying the requirements set forth in the nuisance abatement plan.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter H, Chapter 1702, Occupations Code, by adding Section 1702.184, as follows:

Sec. 1702.184. LOCAL REGULATION OF CERTAIN SECURITY SERVICES FOR PRIVATE BUSINESS. (a) Prohibits a political subdivision from requiring a private business to contract with or employ a peace officer to provide security services for the business, except as provided by Subsection (b).

(b) Provides that this section does not apply to a requirement that a private business contract with or employ a peace officer to provide security services for a public event.

SECTION 2. Effective date: upon passage or September 1, 2007.