

By: Haggerty

H.B. No. 1241

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the duty of the security department of a private  
3 business to maintain criminal history record information for  
4 security department employees.

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

6 SECTION 1. Section 1702.323, Occupations Code, is amended  
7 by amending Subsection (c) and adding Subsection (c-1) to read as  
8 follows:

9 (c) The security department of a private business may not  
10 hire or employ an individual to perform a duty described by Section  
11 1702.222 if the individual has been convicted of a crime that would  
12 otherwise preclude the individual from being registered under this  
13 chapter. The private business shall maintain the individual's  
14 criminal history record on file at the business and shall make the  
15 record available for inspection by the Department of Public Safety.

16 (c-1) Although the security department of a private business  
17 that hires or employs an individual as a private security officer to  
18 possess a firearm in the course and scope of the individual's duties  
19 is required to apply for a security officer commission for the  
20 individual under this chapter, the security department of a private  
21 business is not required to apply to the commission for any license  
22 under this chapter.

23 SECTION 2. The change in law made by this Act by the  
24 amendment of Section 1702.323, Occupations Code, applies to an

1 individual employed by the security department of a private  
2 business on or after the effective date of this Act regardless of  
3 the date on which the individual began employment.

4 SECTION 3. This Act takes effect September 1, 2007.