

BILL ANALYSIS

H.B. 1779
By: Naishtat
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

A court or defense attorney often hires a licensed social worker to assess a defendant, particularly in capital punishment cases. The assessment can include a comprehensive psychological, educational, medical, and social assessment of the defendant. While the specialized training received by a social worker is appropriate for compiling such comprehensive reports for the court, complaints have been made contending that the type of activity being performed by a social worker in these assessments is the type of activity that requires licensure under the Private Security Act. H.B. 1779 exempts a licensed social worker from licensing requirements under the Private Security Act.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1779 amends the Occupations Code to add to the list of persons who are exempt from the Private Security Act a licensed social worker who is engaged in the practice of social work and to remove from this list an employee performing investigative services for an entity regulated by the National Association of Securities Dealers.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.