

BILL ANALYSIS

H.B. 2656
By: Miller, Sid
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that a recent attorney general opinion relating to exemptions from the Private Security Act puts unnecessary focus on the officer's job title and current duties, rather than on the officer's training and licensing by the Texas Commission on Law Enforcement Officer Standards and Education.

H.B. 2656 proposes to resolve this issue by changing the criteria under which certain peace officers are exempt from the 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. 2656 amends the Occupations Code, to make the exemption from the Private Security Act for certain peace officers apply to a chief of police, sheriff, constable, or other chief administrator of a law enforcement agency in Texas or a person appointed, elected, or employed by the chief administrator of a law enforcement agency as a peace officer in accordance with the licensing requirements provided for by the rules of the Commission on Law Enforcement Officer Standards and Education and who is privately employed as a patrolman, guard, extra job coordinator, or watchman, rather than to a person who has full-time employment as a peace officer who is privately employed in that capacity. The bill, in the requirement that such an exempt officer not be in the employ of another peace officer, specifies that the exemption applies if the private employment does not require the officer to be in the employ of another peace officer. The bill, in the requirement that such an exempt officer work as a peace officer on the average of at least 32 hours a week, specifies that the exemption applies if the officer works for the law enforcement agency on that average.

EFFECTIVE DATE

September 1, 2011.