

By: Whitmire

S.B. No. 1600

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the registration of peace officers as private security  
3 officers.

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

5 SECTION 1. Section 1702.322, Occupations Code, is amended  
6 to read as follows:

7 Sec. 1702.322. LAW ENFORCEMENT PERSONNEL. This chapter  
8 does not apply to:

9 (1) a person who has full-time employment as a peace  
10 officer and who receives compensation for private employment on an  
11 individual or an independent contractor basis as a patrolman,  
12 guard, extra job coordinator, or watchman if the officer:

13 (A) is employed in an employee-employer  
14 relationship or employed on an individual contractual basis;

15 (i) directly by the recipient of the  
16 services; or

17 (ii) by a company licensed under this  
18 chapter;

19 (B) is not in the employ of another peace  
20 officer;

21 (C) is not a reserve peace officer; and

22 (D) works as a peace officer on the average of at  
23 least 32 hours a week, is compensated by the state or a political  
24 subdivision of the state at least at the minimum wage, and is

1 entitled to all employee benefits offered to a peace officer by the  
2 state or political subdivision;

3 (2) a reserve peace officer while the reserve officer  
4 is performing guard, patrolman, or watchman duties for a county and  
5 is being compensated solely by that county;

6 (3) a peace officer acting in an official capacity in  
7 responding to a burglar alarm or detection device; or

8 (4) a person engaged in the business of electronic  
9 monitoring of an individual as a condition of that individual's  
10 community supervision, parole, mandatory supervision, or release  
11 on bail, if the person does not perform any other service that  
12 requires a license under this chapter.

13 SECTION 2. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2011.