

AN ACT

relating to the registration of peace officers as private security officers.

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

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

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

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

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

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

(ii) by a company licensed under this chapter;

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

(C) is not a reserve peace officer; and

(D) works as a peace officer on the average of at least 32 hours a week, is compensated by the state or a political 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.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1600 passed the Senate on April 21, 2011, by the following vote: Yeas 31, Nays 0; May 25, 2011, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 27, 2011, House granted request of the Senate; May 29, 2011, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1600 passed the House, with amendment, on May 23, 2011, by the following vote: Yeas 142, Nays 0, one present not voting; May 27, 2011, House granted request of the Senate for appointment of Conference Committee; May 29, 2011, House adopted Conference Committee Report by the following vote: Yeas 134, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor