

By: Whitmire
(King of Parker, Miller of Erath)

S.B. No. 1600

Substitute the following for S.B. No. 1600:

By: Fletcher

C.S.S.B. No. 1600

A BILL TO BE ENTITLED

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 is a chief of police, sheriff, constable, or other chief administrator of a law enforcement agency in this state or is appointed or employed by the chief administrator of a law enforcement agency ~~[has full-time employment]~~ as a peace officer, as defined by Section 1701.001, in accordance with the licensing requirements provided for by the rules of the Commission on Law Enforcement Officer Standards and Education 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) the peace officer is employed by the private employer 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

1 chapter;

2 (B) the private employment does not require the
3 peace officer to be [~~is not~~] in the employ of another peace officer;

4 (C) the peace officer is not a reserve peace
5 officer; and

6 (D) the peace officer works for the law
7 enforcement agency that appointed or employs the [~~as a~~] peace
8 officer on the average of at least 32 hours a week, is compensated
9 by the state or a political subdivision of the state at least at the
10 minimum wage, and is entitled to all employee benefits offered to a
11 peace officer by the state or political subdivision;

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

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

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

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