

1-1 By: Whitmire S.B. No. 1600
1-2 (In the Senate - Filed March 11, 2011; March 23, 2011, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 7, 2011, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 7, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the registration of peace officers as private security
1-9 officers.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 1702.322, Occupations Code, is amended
1-12 to read as follows:

1-13 Sec. 1702.322. LAW ENFORCEMENT PERSONNEL. This chapter
1-14 does not apply to:

1-15 (1) a person who has full-time employment as a peace
1-16 officer and who receives compensation for private employment on an
1-17 individual or an independent contractor basis as a patrolman,
1-18 guard, extra job coordinator, or watchman if the officer:

1-19 (A) is employed in an employee-employer
1-20 relationship or employed on an individual contractual basis:

1-21 (i) directly by the recipient of the
1-22 services; or

1-23 (ii) by a company licensed under this
1-24 chapter;

1-25 (B) is not in the employ of another peace
1-26 officer;

1-27 (C) is not a reserve peace officer; and

1-28 (D) works as a peace officer on the average of at
1-29 least 32 hours a week, is compensated by the state or a political
1-30 subdivision of the state at least at the minimum wage, and is
1-31 entitled to all employee benefits offered to a peace officer by the
1-32 state or political subdivision;

1-33 (2) a reserve peace officer while the reserve officer
1-34 is performing guard, patrolman, or watchman duties for a county and
1-35 is being compensated solely by that county;

1-36 (3) a peace officer acting in an official capacity in
1-37 responding to a burglar alarm or detection device; or

1-38 (4) a person engaged in the business of electronic
1-39 monitoring of an individual as a condition of that individual's
1-40 community supervision, parole, mandatory supervision, or release
1-41 on bail, if the person does not perform any other service that
1-42 requires a license under this chapter.

1-43 SECTION 2. This Act takes effect immediately if it receives
1-44 a vote of two-thirds of all the members elected to each house, as
1-45 provided by Section 39, Article III, Texas Constitution. If this
1-46 Act does not receive the vote necessary for immediate effect, this
1-47 Act takes effect September 1, 2011.

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