

By: Phillips

H.B. No. 1719

A BILL TO BE ENTITLED

AN ACT

relating to passenger security screening and reporting by certain local government airport operators.

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

SECTION 1. Chapter 23, Transportation Code, is amended to read as follows: Sec. 23.002. COMMISSIONING OF EMPLOYEES AS PEACE OFFICERS. (a) The governing body may commission an employee of an airport security force established under this chapter as a peace officer, subject to ~~Subchapter C, Chapter 415, Government Code,~~ Subchapter G, Chapter 1701, Occupations Code, if the employee gives an oath and a bond for the faithful performance of the employee's duties as required by the governing body.

SECTION 2. Chapter 23, Transportation Code, is amended by adding Section 23.004 to read as follows:

Sec. 23.004. SCREENING PARTNERSHIP PROGRAM. (a) In this section, "airport operator" means:

(1) a local government that owns or controls an airport; or

(2) a person who operates, as the agent of a local government or otherwise, an airport owned or controlled by the local government.

(b) Not later than January 1, 2014, an airport operator shall apply to the Under Secretary of Transportation for Security under 49 U.S.C. Section 44920 to participate in the security

1 screening opt-out program.

2 (c) The airport operator shall submit the following  
3 information to the Director of the Texas Department of Public  
4 Safety and the executive director of the Texas Department of  
5 Transportation:

6 (1) not later than the 30th day after an application  
7 has been submitted under Subsection (b), a written statement that  
8 an application has been submitted;

9 (2) not later than the 30th day after receiving the  
10 notice, a copy of the notice of the disposition of the application;  
11 and

12 (3) not later than January 31, 2019, a written  
13 statement regarding any failure to receive a notice of the  
14 disposition of the application.

15 (d) an airport operator that fails to comply with subsection  
16 (b) may not receive state funding for the operation of the airport.

17 (e) This section expires August 31, 2019.

18 SECTION 3. Chapter 23, Transportation Code, is amended by  
19 adding Section 23.005 to read as follows:

20 Sec. 23.005. PASSENGER COMPLAINT REPORT. (a) In this  
21 section, "airport operator" means:

22 (1) a local government that owns or controls an  
23 airport; or

24 (2) a person who operates, as the agent of a local  
25 government or otherwise, an airport owned or controlled by the  
26 local government.

27 (b) Not later than January 1, 2015 and on January 1 of each

1 year thereafter, an airport operator shall submit the following  
2 information to the Director of the Texas Department of Public  
3 Safety and the executive director of the Texas Department of  
4 Transportation:

5 (1) a written report describing the number and nature  
6 of complaints received by the airport operator from passengers  
7 concerning the behavior of Transportation Security Administration  
8 agents.

9 (c) The written report submitted pursuant to Subsection (b)  
10 shall not include the identification of passengers or information  
11 that would compromise the privacy or security of passengers.

12 (d) This section expires August 31, 2019.

13 SECTION 4. Chapter 23, Transportation Code, is amended by  
14 adding Section 23.006 to read as follows:

15 Sec. 23.006 REPORT TO THE CONGRESSIONAL DELEGATION. Before  
16 the end of each even-numbered year, the director of the governor's  
17 Office of Homeland Security shall prepare and submit to the Texas  
18 Congressional delegation a report making recommendations regarding  
19 airport security screening.

20 SECTION 5. This Act takes effect September 1, 2013.