

By: Phillips

H.B. No. 2436

A BILL TO BE ENTITLED

AN ACT

relating to passenger security screening.

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

SECTION 1. Section 23.002(a), Transportation Code, is amended to read as follows:

(a) The governing body may commission an employee of an airport security force established under this chapter as a peace officer, subject to Subchapter G, Chapter 1701, Occupations ~~[Subchapter C, Chapter 415, Government]~~ 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 Sections 23.004 and 23.005 to read as follows:

Sec. 23.004. ANALYSIS AND REPORT REGARDING PASSENGER SECURITY SCREENINGS. (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) An airport operator shall establish a program to collect complaints received by the operator regarding passenger security screenings. Complaints collected under this section are

1 confidential and not subject to disclosure under Chapter 552,  
2 Government Code.

3 (c) Not later than October 1 of each year, and in a manner  
4 prescribed by the director of the governor's Texas homeland  
5 security office, an airport operator shall submit to the executive  
6 director of the Texas Department of Transportation and the director  
7 of the governor's Texas homeland security office an analysis of  
8 complaints regarding passenger security screenings received during  
9 the most recent state fiscal year. The analysis must identify the  
10 general categories of complaints regarding passenger security  
11 screenings and provide trend data on the frequency of those  
12 complaints. The analysis may not contain any personal passenger  
13 information that would compromise a passenger's privacy or safety.

14 (d) Not later than December 1 of each year, the director of  
15 the governor's Texas homeland security office shall submit a report  
16 to the congressional delegation of this state. The report must  
17 provide an analysis of complaints regarding passenger security  
18 screenings in this state and make recommendations regarding ways in  
19 which to conduct effective passenger security screenings while  
20 minimizing unnecessary impositions on airline travelers' time and  
21 privacy.

22 (e) This section expires January 1, 2021.

23 Sec. 23.005. SCREENING PARTNERSHIP PROGRAM. (a) In this  
24 section, "airport operator" has the meaning assigned by Section  
25 23.004.

26 (b) Not later than January 1, 2016, an airport operator  
27 shall apply to the Under Secretary of Transportation for Security

1 under 49 U.S.C. Section 44920 to participate in the security  
2 screening opt-out program.

3 (c) The airport operator shall submit the following  
4 information to the executive director of the Texas Department of  
5 Transportation and the director of the governor's Texas homeland  
6 security office:

7 (1) not later than the 30th day after the date an  
8 application was submitted under Subsection (b), a letter confirming  
9 the submission of an application;

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

13 (3) not later than January 31, 2021, a written  
14 statement regarding any failure to receive a notice of the  
15 disposition of the application.

16 (d) This section expires August 31, 2021.

17 SECTION 3. As soon as practicable after the effective date  
18 of this Act, the director of the governor's Texas homeland security  
19 office shall prescribe procedures to implement the change in law  
20 made by Section 23.004, Transportation Code, as added by this Act.

21 SECTION 4. (a) Sections 23.004(c) and (d), Transportation  
22 Code, as added by this Act, take effect January 1, 2016.

23 (b) Except as otherwise provided by Subsection (a) of this  
24 section, this Act takes effect September 1, 2015.