

By: Dale

H.B. No. 4030

A BILL TO BE ENTITLED

1 AN ACT
2 relating to applications for and certain information regarding an
3 applicant for registration or endorsement under the Private
4 Security Act.

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

6 SECTION 1. Section 1702.230, Occupations Code, is amended
7 by amending Subsection (a) and adding Subsections (d), (e), and (f)
8 to read as follows:

9 (a) An application for registration or endorsement must be
10 verified and include:

11 (1) the applicant's full name, residence address,
12 residence telephone number, date and place of birth, and social
13 security number;

14 (2) a statement that:

15 (A) lists each name used by the applicant, other
16 than the name by which the applicant is known at the time of
17 application, and an explanation stating each place where each name
18 was used, the date of each use, and a full explanation of the
19 reasons the name was used; or

20 (B) states that the applicant has never used a
21 name other than the name by which the applicant is known at the time
22 of application;

23 (3) the name and address of the applicant's employer
24 and, if applicable, the applicant's consulting firm;

1 (4) the date the employment commenced;

2 (5) a letter from the license holder requesting that
3 the applicant be registered or endorsed;

4 (6) the title of the position occupied by the
5 applicant and a description of the applicant's duties; ~~and~~

6 (7) the required fees, including the criminal history
7 check fee established under Section 1702.282;

8 (8) fingerprints of the applicant provided in the
9 manner prescribed by the board; and

10 (9) any other information, evidence, statement, or
11 document required by the board.

12 (d) For purposes of Subsection (a), an application is not
13 considered to be verified until the board has received electronic
14 verification from the department or the Federal Bureau of
15 Investigation, as applicable, that the applicant has submitted the
16 applicant's fingerprints.

17 (e) The board shall make information available to the public
18 concerning whether an applicant for registration or endorsement has
19 met the requirements under this chapter for performing a service
20 for which the registration or endorsement is required.

21 (f) If information concerning an applicant is not made
22 available under Subsection (e) before the 48th hour after the time
23 the applicant's fingerprints are submitted in accordance with
24 Subsection (a), the applicant may begin performing the duties of
25 employment for which the registration or endorsement is required,
26 other than duties as a commissioned security officer, if the
27 employer or its agent:

1 (1) verifies through the department's publicly
2 accessible website that the applicant is:

3 (A) not disqualified for the registration or
4 endorsement based on the applicant's criminal history; and

5 (B) not required to register as a sex offender
6 under Chapter 62, Code of Criminal Procedure; and

7 (2) maintains in the applicant's employee file a copy
8 of the search results obtained under Subdivision (1).

9 SECTION 2. Section 1702.230(a), Occupations Code, as
10 amended by this Act, applies only to an application for
11 registration or endorsement that is submitted to the Texas Private
12 Security Board on or after the effective date of this Act. An
13 application submitted before the effective date of this Act is
14 governed by the law in effect on the date the application was
15 submitted, and the former law is continued in effect for that
16 purpose.

17 SECTION 3. This Act takes effect September 1, 2015.