

By: Villalba

H.B. No. 659

A BILL TO BE ENTITLED

AN ACT

relating to the employment of a commissioned security officer by a religious organization.

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

SECTION 1. Section 1702.002, Occupations Code, is amended by amending Subdivisions (11) and (20-a) and adding Subdivision (20-b) to read as follows:

(11) "Letter of authority" means a permit issued by the board that entitles the security department of a private business, a religious organization, or a political subdivision to employ a commissioned security officer.

(20-a) "Religious organization" means an organization that meets the standards for qualification under Section 11.20, Tax Code.

(20-b) "Security officer" means a person who performs the activities described by Section 1702.222.

SECTION 2. Section 1702.181, Occupations Code, is amended to read as follows:

Sec. 1702.181. LETTER OF AUTHORITY REQUIRED. The security department of a private business, a religious organization, or a political subdivision may not employ a commissioned security officer unless the security department holds a letter of authority.

SECTION 3. Section 1702.182, Occupations Code, is amended to read as follows:

1           Sec. 1702.182. SECURITY DEPARTMENT OF PRIVATE BUSINESS OR  
2 RELIGIOUS ORGANIZATION. (a) A security department acts as the  
3 security department of a private business or religious organization  
4 if it:

5                   (1) has as its general purpose the protection and  
6 security of its own property and grounds; and

7                   (2) does not offer or provide security services to  
8 another person.

9           (b) For purposes of this subchapter, a hospital licensed  
10 under Chapter 241 or 577, Health and Safety Code, may provide  
11 security services to:

12                   (1) buildings, grounds, and tenants located on the  
13 hospital's property or campus, regardless of who owns the building;  
14 and

15                   (2) a parent entity or member entity of the hospital or  
16 hospital corporation, or an affiliated entity or business with whom  
17 the hospital shares common ownership or control.

18           (c) For purposes of this subchapter, a religious  
19 organization may provide security services only to:

20                   (1) a facility used by the organization primarily as a  
21 place of regular religious worship;

22                   (2) the tract of land on which a facility described by  
23 Subdivision (1) is located;

24                   (3) a tract of land contiguous with a tract described  
25 by Subdivision (2) or divided from that tract only by a road,  
26 railroad track, river, or stream; or

27                   (4) a facility located on a tract described by

1 Subdivision (2) or (3).

2 SECTION 4. Section 1702.183, Occupations Code, is amended  
3 to read as follows:

4 Sec. 1702.183. APPLICATION FOR LETTER OF AUTHORITY. A  
5 security department of a private business, of a religious  
6 organization, or of a political subdivision that applies for a  
7 security officer commission for an individual employed by the  
8 security department must submit an application to the board for a  
9 letter of authority on a form provided by the board.

10 SECTION 5. Section 1702.184, Occupations Code, is amended  
11 to read as follows:

12 Sec. 1702.184. LOCAL REGULATION OF CERTAIN SECURITY  
13 SERVICES FOR PRIVATE BUSINESSES OR RELIGIOUS ORGANIZATIONS. (a)  
14 Except as provided by Subsection (b), a political subdivision of  
15 this state may not require a private business or religious  
16 organization to contract with or employ a peace officer to provide  
17 security services for the private business or religious  
18 organization.

19 (b) This section does not apply to:

20 (1) a requirement that a private business or religious  
21 organization contract with or employ a peace officer to:

22 (A) provide security services for a public event;

23 (B) provide security services for a private event  
24 held at a public facility that is owned or leased by a political  
25 subdivision of this state;

26 (C) conduct a public escort; or

27 (D) direct traffic on a public roadway; or

1                   (2) an order or determination made by a court under  
2 Chapter [125](#), Civil Practice and Remedies Code.

3                   SECTION 6. This Act takes effect September 1, 2017.