

House Bill 1779
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 411.0891(a), Government Code, is amended to read as follows:

(a) Subject to Section 411.087, the department is authorized to obtain and use criminal history record information maintained by the Federal Bureau of Investigation or the department that relates to a person who:

(1) is an applicant for or holds a Capitol access pass issued by the department under Section 411.0625;

(2) is an applicant for or holds a license to carry a handgun issued by the department under Subchapter H or is an applicant for or holds a certification as a qualified handgun instructor issued by the department under that subchapter;

~~(3) [registration issued by the director under Subchapter C, Chapter 481, Health and Safety Code, that authorizes the person to manufacture, distribute, analyze, or conduct research with a controlled substance; (2)]~~ is an applicant for or holds a chemical precursor transfer permit issued by the director under Section 481.078, Health and Safety Code;

~~(4) [(3)]~~ is an applicant for or holds a chemical laboratory apparatus transfer permit issued by the director under Section 481.081, Health and Safety Code;

(5) is an applicant for or holds a license to operate as a dispensing organization issued by the department under Chapter 487, Health and Safety Code, or is an applicant for or holds a registration as a director, manager, or employee of a dispensing organization issued by the department under that chapter;

(6) is an applicant for or holds any private security license, registration, or commission issued by the department under Chapter 1702, Occupations Code;

~~(7) [(4)]~~ is an applicant for certification by the department as an inspection station or an inspector under Subchapter G,

SENATE VERSION (IE)

SECTION 1. Same as House version.

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Chapter 548, Transportation Code, holds an inspection station or inspector certificate issued under that subchapter, or is the owner of an inspection station operating under that chapter; or ~~(8) [(5)]~~ is an applicant for approval or has been approved as a program sponsor by the department under Chapter 662, Transportation Code, is an applicant for certification by the department as an instructor under that chapter, or holds an instructor certificate issued under that chapter.

No equivalent provision.

No equivalent provision.

No equivalent provision.

SENATE VERSION (IE)

SECTION __. Section 1702.163(g), Occupations Code, is amended to read as follows:

(g) Chapter 53 does not apply to a determination of whether an applicant is disqualified from owning or possessing a firearm as provided by Subsection (b)(1) and an [An] individual's eligibility under that subsection [~~this section~~] is not affected by a relationship or lack of relationship between the nature of a criminal charge or conviction and the regulated occupation. [FA1]

SECTION __. Section 1702.1685(c), Occupations Code, is amended to read as follows:

(c) An applicant for a security officer commission must demonstrate the required proficiency not earlier than the 90th day [~~within the 90-day period~~] before the date the application for the security officer commission is submitted [~~issued~~]. [FA1]

SECTION __. Section 1702.301, Occupations Code, is amended by amending Subsections (b), (g), and (h) and

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adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (b-1), a [A] security officer commission expires on the second anniversary of the date the commission is issued.

(b-1) A security officer commission issued to a person who is not a citizen, national, or legal permanent resident of the United States or a refugee or asylee lawfully admitted into the United States expires on the earlier of:

(1) the second anniversary of the date the commission is issued; or

(2) the expiration of the person's lawful presence in the United States as determined by the appropriate United States agency in compliance with federal law.

(g) A letter of authority[;] or a school approval [~~or school instructor approval~~] letter issued by the board[;] expires on the first anniversary of the date of issuance.

(h) A license, registration, instructor approval letter, or endorsement issued under this chapter, other than one specified in this section, expires on the date specified by this chapter or by board rule. [FA1]

No equivalent provision.

SECTION __. (a) Sections 1702.163(g) and 1702.1685(c), Occupations Code, as amended by this Act, apply only to an application for an original or renewal security officer commission that is submitted on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

(b) Section 1702.301, Occupations Code, as amended by this Act, applies only to a security officer commission or an

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instructor approval letter issued or renewed on or after the effective date of this Act. A security officer commission or an instructor approval letter issued or renewed before the effective date of this Act is governed by the law in effect on the date the security officer commission or instructor approval letter was issued or renewed, and the former law is continued in effect for that purpose. [FA1]

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SECTION 2. Same as House version.