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2019 MAY 15 AM 9:40

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Davis (of Dallas)

1 Amend C.S.S.B. No. 616 (house committee report) as follows:

2 (1) On page 46, line 7, strike "[~~and of the applicant's~~  
3 ~~manager~~]" and substitute ", and of the applicant's manager".

4 (2) Strike "[~~or the applicant's manager~~]" and substitute  
5 "or the applicant's manager" in each of the following places it  
6 appears:

7 (A) page 48, lines 1 and 2;

8 (B) page 48, lines 23 and 24;

9 (C) page 49, line 12;

10 (D) page 49, line 27; and

11 (E) page 50, line 5.

12 (3) Strike "[~~manager~~]" and substitute ", manager," in  
13 each of the following places it appears:

14 (A) page 48, line 26; and

15 (B) page 49, lines 14 and 15.

16 (4) Strike "[~~manager~~]" and substitute "manager," in each  
17 of the following places it appears:

18 (A) page 57, line 21; and

19 (B) page 58, line 19.

20 (5) On page 58, strike "[~~or manager~~]" and substitute "or  
21 manager" each time it appears on lines 13-14 and 14-15.

22 (6) Strike "[~~or manager~~]" and substitute ", or manager" in  
23 each of the following places it appears:

24 (A) page 58, line 26; and

25 (B) page 59, line 5.

26 (7) On page 64, line 16, strike "COMMISSIONED" and  
27 substitute "[COMMISSIONED]".

28 (8) On page 64, line 23, strike "commissioned" and  
29 substitute "[commissioned]".

- 1 (9) On page 64, line 27, strike "commissioned".
- 2 (10) On page 68, strike lines 18 through 23 and substitute  
3 the following:
- 4 ~~(H)~~ a manager or branch office manager;
- 5 (H) ~~(I)~~ a noncommissioned security officer;
- 6 (I) ~~(J)~~ a level 4 personal protection  
7 instructor;
- 8 (J) ~~(K)~~ a private investigator; or
- 9 (K) ~~(L)~~ a private security consultant;
- 10 (11) On page 69, line 1, strike "51" and substitute "25".
- 11 (12) On page 88, strike lines 3 through 9 and substitute the  
12 following:
- 13 maintains, or repairs only personal emergency response systems;
- 14 (3) a manager or branch office manager of an alarm  
15 systems company described by Subdivision (1); and
- 16 (4) ~~[a security salesperson who is employed by an  
17 alarm systems company described by Subdivision (1) to sell services  
18 offered by the company; and~~
- 19 ~~(5)~~ an owner ~~[, officer, partner, or shareholder]~~ of
- 20 (13) On page 89, line 13, strike "~~manager or~~" and  
21 substitute "manager or".
- 22 (14) On page 90, line 3, strike "or".
- 23 (15) On page 90, strike lines 14 through 16 and substitute  
24 the following:
- 25 (G) failed to qualify a new manager within the  
26 time required by commission ~~board~~ rule following the termination  
27 of a manager; or
- 28 (16) On page 97, strike line 9 and substitute "investigator  
29 or the manager of a licensed investigations company;"
- 30 (17) On page 103, strike line 15.
- 31 (18) On page 104, strike lines 7 through 9 and line 18.

1 (19) Renumber the subdivisions of SECTION 5.114(b) of the  
2 bill appropriately.

3 (20) Add the following appropriately numbered SECTIONS to  
4 ARTICLE 5 of the bill and renumber the SECTIONS of that article  
5 accordingly:

6 SECTION 5.\_\_\_\_. Section 1702.119(b), Occupations Code, is  
7 amended to read as follows:

8 (b) An individual may not act as a manager until the  
9 individual has:

10 (1) demonstrated the individual's qualifications by  
11 passing the written examination required by Section 1702.117(a);  
12 and

13 (2) made a satisfactory showing to the department that  
14 the individual:

15 (A) satisfies the requirements of Section  
16 1702.113 and meets all qualification and experience requirements  
17 set by rule for a manager of the type of company for which the  
18 individual is applying; and

19 (B) has not engaged in conduct regarding a  
20 violation or conviction that is grounds for disciplinary action  
21 under Section 1702.361(b) [~~or 1702.3615(a)~~].

22 SECTION 5.\_\_\_\_. Section 1702.120, Occupations Code, is  
23 amended to read as follows:

24 Sec. 1702.120. FALSE APPLICATION OF MANAGER. (a) An  
25 individual may not:

26 (1) serve as manager of an investigations company,  
27 guard company, alarm systems company, armored car company, or  
28 courier company [~~, or guard dog company~~]; and

29 (2) fail to maintain that supervisory position on a  
30 daily basis for that company.

31 (b) An individual may not apply to the commission [~~board~~] to

1 serve as manager of an investigations company, guard company, alarm  
2 systems company, armored car company, or courier company[, ~~or guard~~  
3 ~~dog company~~] without the intent to maintain that supervisory  
4 position on a daily basis for that company.

5 SECTION 5.\_\_\_\_. Section 1702.121(a), Occupations Code, is  
6 amended to read as follows:

7 (a) A license holder shall notify the commission [~~board~~] in  
8 writing not later than the 14th day after the date a manager ceases  
9 to be manager of the license holder's business. The license remains  
10 in effect for a reasonable period after notice is given as provided  
11 by commission [~~board~~] rule pending the commission's [~~board's~~]  
12 determination of the qualification of another manager under this  
13 subchapter.

14 SECTION 5.\_\_\_\_. Section 1702.362, Occupations Code, is  
15 amended to read as follows:

16 Sec. 1702.362. FAILURE TO FILE REQUIRED NOTICE. The  
17 commission [~~board~~] may suspend or revoke a license if the license  
18 holder fails to notify the commission [~~board~~] as required by  
19 Section 1702.121 that a manager has ceased to be the manager of the  
20 license holder.