

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 3424  
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Criminal Justice  
5/19/2023  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Many armed security officers are trained and employed in various capacities to protect private property and secure private events. The mandated training for security personnel was moved into an online training program during the COVID-19 pandemic. Online training programs do not require any in-person weapons training which represents a risk to the security officers and the persons they encounter throughout their duties. Furthermore, the handgun proficiency and tactical training portion of the security training program should be conducted in person with an authorized instructor for increased safety.

H.B. 3424:

- requires classroom instruction on handgun proficiency included as part of a basic training course for commissioned security officers to also include instruction on self-defense tactics; and
- revises requirements for the administration of classroom instruction by requiring that the instruction be delivered exclusively on an in-person basis and by an on-site instructor approved by the Department of Public Safety of the State of Texas.

Committee Substitute:

- The committee substitute requires applicants to undergo a psychological test to be eligible for a commissioned security officer license.

C.S.H.B. 3424 amends current law relating to the eligibility and training requirements for commissioned security officers and personal protection officers.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Public Safety Commission in SECTION 1 (Section 1702.163, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1702.163, Occupations Code, by amending Subsection (a) and adding Subsection (h), as follows:

(a) Provides that an applicant employed by a company license holder is not eligible for a security officer commission unless the applicant submits as part of the application satisfactory evidence that the applicant has taken certain actions, including provided proof of completion by and the results of the Minnesota Multiphasic Personality Inventory test (test) for the applicant. Makes nonsubstantive changes.

(h) Requires the Public Safety Commission (PSC) by rule to require an applicant for a security officer commission to complete the test. Authorizes the Department of Public Safety of the State of Texas (DPS) to use the results of the test to evaluate the applicant's psychological fitness.

SECTION 2. Amends Sections 1702.1675(a) and (g), Occupations Code, as follows:

(a) Requires PSC to establish a basic training course for commissioned security officers, which is required to include, at a minimum:

- (1) makes no change to this subdivision;
- (2) classroom instruction on handgun proficiency and self-defense tactics; and
- (3) makes no change to this subdivision.

(g) Requires that the handgun proficiency and self-defense course include at least 10 hours and not more than 15 hours of in-person instruction with an on-site instructor approved by DPS on:

- (1)-(2) makes no change to these subdivisions;
- (3)-(4) makes nonsubstantive changes to these subdivisions; and
- (5) self-defense tactics.

SECTION 3. Amends Section 1702.1685(a), Occupations Code, as follows:

(a) Requires that the proficiency examination required to obtain or renew a security officer commission include:

- (1) a written section on the subjects listed in Sections 1702.1675(g)(1) through (4) (relating to requiring that the handgun proficiency course include certain hours of instruction and learning material), rather than Section 1702.1675(g) (relating to requiring that the handgun proficiency course include certain hours of instruction); and
- (2) makes no change to this subdivision.

SECTION 4. Amends Section 1702.205(b), Occupations Code, as follows:

(b) Provides that the training required by Section 1702.205 (Personal Protection Officer Training):

- (1) is required to be provided in-person; and
- (2) creates this subdivision from existing text.

SECTION 5. Requires a person who holds a security officer commission issued under Chapter 1702, Occupations Code, on January 1, 2024, and applies to renew the commission on or after January 1, 2024, to provide to DPS, at the time of the person's first renewal of the commission on or after that date, proof of completion and the rests of the test taken by the person. Authorizes DPS to use the results of the test to evaluate the applicant's psychological fitness.

SECTION 6. Makes application of Section 1702.163(a), Occupations Code, as amended by this Act, prospective to January 1, 2024.

SECTION 7. (a) Makes application of Section 1702.1675, Occupations Code, as amended by this Act, prospective to January 1, 2024.

(b) Requires PSC, not later than January 1, 2024, to update the basic training course for commissioned security officers to comply with Section 1702.1675, Occupations Code, as amended by this Act.

SECTION 8. Makes application of Section 1702.205, Occupations Code, as amended by this Act, prospective to January 1, 2024.

SECTION 9. Effective date: September 1, 2023.