

BILL ANALYSIS

C.S.H.B. 4023

By: Raymond

Homeland Security, Public Safety & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, certain reserve peace officers are exempted from the applicability of the Private Security Act while they are performing certain duties for a county and are being compensated solely by that county. The bill author has informed the committee that there is an unmet need for peace officers to serve in part-time security, patrolman, and watchman roles to maintain public safety at weekly, special, and holiday events and other events organized by governmental entities other than a county or at events organized by private individuals, corporations, and organizations, especially in Laredo. C.S.H.B. 4023 aims to meet this need by making a reserve peace officer available to serve in these roles as a vetted, trained addition to the available workforce.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4023 amends the Occupations Code to revise the exemption of a reserve peace officer while the reserve officer is performing guard, patrolman, or watchman duties for a county and is being compensated solely by that county from the applicability of the Private Security Act by doing the following:

- conditioning the exemption on the officer being appointed by a state law enforcement agency or law enforcement agency in the county in which the officer is performing duties;
- replacing the provision specifying that the reserve peace officer is performing duties for a county and is being compensated solely by that county with a provision specifying that the reserve peace officer is performing duties for any person or a state agency or political subdivision and is being compensated solely by the state agency or applicable political subdivision;
- conditioning the exemption on the chief administrative officer of the reserve peace officer's appointing law enforcement agency approving the reserve peace officer to perform the applicable duties; and
- conditioning the exemption on those duties being performed in a county that has a population of at least 250,000 but not more than 650,000 and is adjacent to an international border.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 4023 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the introduced and the substitute revise the exemption of a reserve peace officer while the reserve peace officer is performing guard, patrolman, or watchman duties for a county and is being compensated solely by that county from the applicability of the Private Security Act, the versions differ in the following ways:

- the substitute conditions the exemption on the officer being appointed by a state law enforcement agency or law enforcement agency in the county in which the officer is performing duties, whereas the introduced did not;
- the substitute omits the provision from the introduced that included extra job coordinator duties among the duties for which the reserve peace officer may be exempted;
- the introduced removed the specification that the reserve peace officer is being compensated solely by the entity for whom the officer is performing duties, whereas the substitute does not;
- the introduced included an applicable person among the entities by whom the reserve peace officer may be compensated, whereas the substitute does not;
- whereas the introduced conditioned the exemption on the chief administrator of the agency granting the reserve status approving, the substitute conditions the exemption on the chief administrative officer of the reserve peace officer's appointing law enforcement agency approving the reserve peace officer to perform the applicable duties; and
- whereas the introduced conditioned the exemption on the reserve peace officer's duties being performed in an otherwise eligible county located on an international border, the substitute conditions the exemption on those duties being performed in an otherwise eligible county that is adjacent to an international border.