

By: Raymond, McLaughlin

H.B. No. 4023

A BILL TO BE ENTITLED

AN ACT

relating to the exemption of certain reserve peace officers from regulation as private security personnel.

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

SECTION 1. Section 1702.322, Occupations Code, is amended to read as follows:

Sec. 1702.322. LAW ENFORCEMENT PERSONNEL. This chapter does not apply to:

(1) a person who has full-time employment as a peace officer and who receives compensation for private employment on an individual or an independent contractor basis as a patrolman, guard, extra job coordinator, or watchman if the officer:

(A) is employed in an employee-employer relationship or employed on an individual contractual basis:

(i) directly by the recipient of the services; or

(ii) by a company licensed under this chapter;

(B) is not in the employ of another peace officer;

(C) is not a reserve peace officer; and

(D) works as a peace officer on the average of at least 32 hours a week, is compensated by the state or a political subdivision of the state at least at the minimum wage, and is

entitled to all employee benefits offered to a peace officer by the state or political subdivision;

(2) a reserve peace officer, if:

(A) [while] the reserve peace officer is appointed by a state law enforcement agency or a law enforcement agency in the county in which the officer is performing guard, patrolman, or watchman duties for any person or a state agency or political subdivision;

(B) the reserve peace officer [a county and] is being compensated solely by the state agency, or political subdivision described by Paragraph (A) [that county];

(C) the chief administrative officer of the reserve peace officer's appointing law enforcement agency approves the reserve peace officer to perform the duties described by Paragraph (A); and

(D) the duties described by Paragraph (A) are performed in a county that:

(i) has a population of at least 250,000 but not more than 650,000; and

(ii) is adjacent to an international border;

(3) a peace officer acting in an official capacity in responding to a burglar alarm or detection device; or

(4) a person engaged in the business of electronic monitoring of an individual as a condition of that individual's community supervision, parole, mandatory supervision, or release on bail, if the person does not perform any other service that

H.B. No. 4023

1 requires a license under this chapter.

2 SECTION 2. This Act takes effect September 1, 2025.