

1 recent federal census, that operates an airport that serves  
2 commercial air carriers;

3 (12) airport security personnel commissioned as peace  
4 officers by the governing body of any political subdivision of this  
5 state, other than a city described by Subdivision (11), that  
6 operates an airport that serves commercial air carriers;

7 (13) municipal park and recreational patrolmen and  
8 security officers;

9 (14) security officers commissioned as peace officers  
10 by the comptroller;

11 (15) officers commissioned by a water control and  
12 improvement district under Section 49.216, Water Code;

13 (16) officers commissioned by a board of trustees  
14 under Chapter 341, Acts of the 57th Legislature, Regular Session,  
15 1961 (Article 1187f, Vernon's Texas Civil Statutes);

16 (17) investigators commissioned by the Texas State  
17 Board of Medical Examiners;

18 (18) officers commissioned by the board of managers of  
19 the Dallas County Hospital District, the Tarrant County Hospital  
20 District, or the Bexar County Hospital District under Section  
21 281.057, Health and Safety Code;

22 (19) county park rangers commissioned under Subchapter  
23 E, Chapter 351, Local Government Code;

24 (20) investigators employed by the Texas Racing  
25 Commission;

26 (21) officers commissioned by the State Board of  
27 Pharmacy;

1                   (22) officers commissioned by the governing body of a  
2 metropolitan rapid transit authority under Section 451.108,  
3 Transportation Code, or by a regional transportation authority  
4 under Section 452.110, Transportation Code;

5                   (23) investigators commissioned by the attorney  
6 general under Section 402.009, Government Code;

7                   (24) security officers and investigators commissioned  
8 as peace officers under Chapter 466, Government Code;

9                   (25) an officer employed by the Texas Department of  
10 Health under Section 431.2471, Health and Safety Code;

11                   (26) officers appointed by an appellate court under  
12 Subchapter F, Chapter 53, Government Code;

13                   (27) officers commissioned by the state fire marshal  
14 under Chapter 417, Government Code;

15                   (28) an investigator commissioned by the commissioner  
16 of insurance under Article 1.10D, Insurance Code; [and]

17                   (29) apprehension specialists commissioned by the  
18 Texas Youth Commission as officers under Section 61.0931, Human  
19 Resources Code; and

20                   (30) board investigators commissioned by the Texas  
21 Commission on Private Security under Section 10(f), Private  
22 Investigators and Private Security Agencies Act (Article  
23 4413(29bb), Vernon's Texas Civil Statutes).

24                   SECTION 38. Section 411.042(b), Government Code, is amended  
25 to read as follows:

26                   (b) The bureau of identification and records shall:

27                   (1) procure and file for record photographs, pictures,

1 descriptions, fingerprints, measurements, and other pertinent  
2 information of all persons arrested for or charged with a criminal  
3 offense or convicted of a criminal offense, regardless of whether  
4 the conviction is probated;

5 (2) collect information concerning the number and  
6 nature of offenses reported or known to have been committed in the  
7 state and the legal steps taken in connection with the offenses,  
8 and other information useful in the study of crime and the  
9 administration of justice, including a statistical breakdown of  
10 those offenses in which family violence was involved;

11 (3) make ballistic tests of bullets and firearms and  
12 chemical analyses of bloodstains, cloth, materials, and other  
13 substances for law enforcement officers of the state;

14 (4) cooperate with identification and crime records  
15 bureaus in other states and the United States Department of  
16 Justice; [and]

17 (5) maintain a list of all previous background checks  
18 for applicants for any position regulated under the Private  
19 Investigators and Private Security Agencies Act (Article  
20 4413(29bb), Vernon's Texas Civil Statutes) who have undergone a  
21 criminal history background check under Section 411.119, if the  
22 check indicates a Class B misdemeanor or equivalent offense or a  
23 greater offense; and

24 (6) collect information concerning the number and  
25 nature of protective orders and all other pertinent information  
26 about all persons on active protective orders. Information in the  
27 law enforcement information system relating to an active protective

1 order shall include:

2 (A) the name, sex, race, date of birth, personal  
3 descriptors, address, and county of residence of the person to whom  
4 the order is directed;

5 (B) any known identifying number of the person  
6 to whom the order is directed, including the person's social  
7 security number or driver's license number;

8 (C) the name and county of residence of the  
9 person protected by the order;

10 (D) the residence address and place of  
11 employment or business of the person protected by the order, unless  
12 that information is excluded from the order under Section 85.007  
13 [~~71.111~~], Family Code;

14 (E) the child-care facility or school where a  
15 child protected by the order normally resides or which the child  
16 normally attends, unless that information is excluded from the  
17 order under Section 85.007 [~~71.111~~], Family Code;

18 (F) the relationship or former relationship  
19 between the person who is protected by the order and the person to  
20 whom the order is directed; and

21 (G) the date the order expires.

22 SECTION 39. Section 411.119, Government Code, is amended to  
23 read as follows:

24 Sec. 411.119. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION:  
25 TEXAS COMMISSION ON PRIVATE SECURITY [~~TEXAS--BOARD--OF--PRIVATE~~  
26 ~~INVESTIGATORS--AND--PRIVATE--SECURITY--AGENCIES~~]. The Texas Commission  
27 on Private Security [~~Texas--Board--of--Private--Investigators--and~~

1 ~~Private---Security---Agencies]~~ is entitled to obtain from the  
2 department criminal history record information maintained by the  
3 department, including information maintained under Section  
4 411.042(b)(5), that relates to ~~[a-person-who-is]~~:

5 (1) an applicant for a license, registration, ~~[or]~~  
6 security officer commission, letter of approval, permit, or handgun  
7 instructor certification under the Private Investigators and  
8 Private Security Agencies Act (Article 4413(29bb), Vernon's Texas  
9 Civil Statutes); or

10 (2) a person who holds a license, registration,  
11 security officer commission, letter of approval, permit, or handgun  
12 instructor certification under the Private Investigators and  
13 Private Security Agencies Act (Article 4413(29bb), Vernon's Texas  
14 Civil Statutes) ~~[an-applicant-for-a-position-regulated--under--that~~  
15 ~~Act].~~

16 SECTION 40. (a) The Texas Commission on Private Security,  
17 formerly named the Texas Board of Private Investigators and Private  
18 Security Agencies, is a criminal justice agency for the sole  
19 purpose of directly obtaining criminal history records maintained  
20 by the Federal Bureau of Investigation.

21 (b) As soon as practicable after the effective date of this  
22 Act, the director of the Texas Commission on Private Security shall  
23 request from the appropriate official at the United States  
24 Department of Justice a determination letter as to whether the  
25 Texas Commission on Private Security is recognized as a criminal  
26 justice agency for the sole purpose of directly obtaining criminal  
27 history records maintained by the Federal Bureau of Investigation.

1           (c) On receipt of the letter requested under Subsection (b)  
2 of this section, the director of the Texas Commission on Private  
3 Security shall give the letter to the secretary of state for  
4 publication in the Texas Register.

5           (d) Notwithstanding Section 39A, Private Investigators and  
6 Private Security Agencies Act (Article 4413(29bb), Vernon's Texas  
7 Civil Statutes), as added by this Act, if the letter requested  
8 under Subsection (b) of this section grants recognition as a  
9 criminal justice agency for the purpose of directly obtaining  
10 criminal history records maintained by the Federal Bureau of  
11 Investigation, the Texas Commission on Private Security shall  
12 directly request from the Federal Bureau of Investigation criminal  
13 history records maintained by the Federal Bureau of Investigation  
14 rather than making requests through the Texas Department of Public  
15 Safety as authorized by Section 411.087, Government Code.

16           (e) If the letter requested under Subsection (b) of this  
17 section does not grant recognition as a criminal justice agency for  
18 the purpose of directly obtaining criminal history records  
19 maintained by the Federal Bureau of Investigation, this section has  
20 no effect.

21           SECTION 41. (a) For the purpose of compliance with Section  
22 5(a), Private Investigators and Private Security Agencies Act  
23 (Article 4413(29bb), Vernon's Texas Civil Statutes), as amended by  
24 this Act, the governor shall appoint three additional members to  
25 the Texas Commission on Private Security in accordance with this  
26 section.

27           (b) The governor shall appoint two public members and one

1 person who is qualified under Section 5(a)(5), Private  
2 Investigators and Private Security Agencies Act (Article  
3 4413(29bb), Vernon's Texas Civil Statutes), as added by this Act.  
4 The governor shall appoint the person who is qualified under  
5 Section 5(a)(5), Private Investigators and Private Security  
6 Agencies Act (Article 4413(29bb), Vernon's Texas Civil Statutes),  
7 as added by this Act, to a term expiring January 31, 2001. The  
8 governor shall appoint one public member to a term expiring January  
9 31, 2003, and one public member to a term expiring January 31,  
10 2005.

11 SECTION 42. (a) For the purpose of compliance with Section  
12 5(a), Private Investigators and Private Security Agencies Act  
13 (Article 4413(29bb), Vernon's Texas Civil Statutes), as amended by  
14 this Act, the governor shall appoint members to the Texas  
15 Commission on Private Security, to fill a vacancy or as terms  
16 expire, in accordance with this section.

17 (b) In appointing members to the two positions that, before  
18 the effective date of this Act, were held by members who were  
19 private investigators or security service contractors, the governor  
20 shall appoint one member who is a licensed private investigator and  
21 one member who is a licensed alarm systems company.

22 SECTION 43. The changes in law made by this Act to Section  
23 5(a), Private Investigators and Private Security Agencies Act  
24 (Article 4413(29bb), Vernon's Texas Civil Statutes), do not affect  
25 the entitlement of an appointed member of the Texas Board of  
26 Private Investigators and Private Security Agencies serving on the  
27 board immediately before the effective date of this Act to continue

1 to serve on the Texas Commission on Private Security for the  
2 remainder of the member's term or to serve in a holdover capacity  
3 until a successor is appointed and takes office. This Act does not  
4 prohibit a board member from being reappointed to the commission if  
5 the person has the qualifications required by the Private  
6 Investigators and Private Security Agencies Act (Article  
7 4413(29bb), Vernon's Texas Civil Statutes), as amended by this Act.

8 SECTION 44. (a) On and after January 1, 2000, the State  
9 Office of Administrative Hearings shall assume responsibility for  
10 hearings, other than on any summary suspension or summary denial of  
11 applications, held with respect to contested cases arising under  
12 the Private Investigators and Private Security Agencies Act  
13 (Article 4413(29bb), Vernon's Texas Civil Statutes), and the chief  
14 administrative law judge of the State Office of Administrative  
15 Hearings may agree to a transfer of contested cases pending before  
16 the Texas Commission on Private Security to the State Office of  
17 Administrative Hearings before January 1, 2000.

18 (b) This Act does not require a transfer of any personnel  
19 from the Texas Commission on Private Security to the State Office  
20 of Administrative Hearings.

21 SECTION 45. Section 11B, Private Investigators and Private  
22 Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil  
23 Statutes), as amended by this Act, and Section 11E, Private  
24 Investigators and Private Security Agencies Act (Article  
25 4413(29bb), Vernon's Texas Civil Statutes), as added by this Act,  
26 apply only to a disciplinary action that is initiated on or after  
27 the effective date of this Act. A disciplinary action that is

1 initiated before the effective date of this Act is governed by the  
2 law in effect on the date the disciplinary action is initiated, and  
3 that law is continued in effect for that purpose.

4 SECTION 46. Section 11F, Private Investigators and Private  
5 Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil  
6 Statutes), as added by this Act, applies only to an application  
7 filed on or after the effective date of this Act. An application  
8 that is filed before the effective date of this Act is governed by  
9 the law in effect on the date the application is filed, and that  
10 law is continued in effect for that purpose.

11 SECTION 47. Section 14(a), Private Investigators and Private  
12 Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil  
13 Statutes), as amended by this Act, and Section 14(a-1), Private  
14 Investigators and Private Security Agencies Act (Article  
15 4413(29bb), Vernon's Texas Civil Statutes), as added by this Act,  
16 apply only to a license application filed on or after the effective  
17 date of this Act. A license application that is filed before the  
18 effective date of this Act is governed by the law in effect on the  
19 date the license application is filed, and that law is continued in  
20 effect for that purpose.

21 SECTION 48. Section 17, Private Investigators and Private  
22 Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil  
23 Statutes), as amended by this Act, applies only to a  
24 noncommissioned security officer registration that expires on or  
25 after the effective date of this Act. A noncommissioned security  
26 officer registration that expires before the effective date of this  
27 Act is governed by the law in effect on the date the registration

1 expires, and that law is continued in effect for that purpose.

2 SECTION 49. Section 20, Private Investigators and Private  
3 Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil  
4 Statutes), as amended by this Act, applies only to an application  
5 for a security officer commission filed on or after the effective  
6 date of this Act. An application for a security officer commission  
7 that is filed before the effective date of this Act is governed by  
8 the law in effect on the date the application is filed, and that  
9 law is continued in effect for that purpose.

10 SECTION 50. Section 36, Private Investigators and Private  
11 Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil  
12 Statutes), as amended by this Act, applies only to a pocket card  
13 issued on or after the effective date of this Act. A pocket card  
14 issued before the effective date of this Act is governed by the law  
15 in effect on the date the pocket card is issued, and that law is  
16 continued in effect for that purpose.

17 SECTION 51. Sections 36A and 45A, Private Investigators and  
18 Private Security Agencies Act (Article 4413(29bb), Vernon's Texas  
19 Civil Statutes), as added by this Act, apply only to the renewal of  
20 a license or registration that expires on or after the effective  
21 date of this Act. The renewal of a license or registration that  
22 expires before the effective date of this Act is governed by the  
23 law in effect immediately before the effective date of this Act,  
24 and that law is continued in effect for that purpose.

25 SECTION 52. Section 39A, Private Investigators and Private  
26 Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil  
27 Statutes), as added by this Act, applies only to a request for a

1 criminal history record for an application filed on or after the  
2 effective date of this Act. A request for a criminal history  
3 record for an application filed before the effective date of this  
4 Act is governed by the law in effect on the date the application is  
5 filed, and that law is continued in effect for that purpose.

6 SECTION 53. (a) Sections 44(h) and (i), Private  
7 Investigators and Private Security Agencies Act (Article  
8 4413(29bb), Vernon's Texas Civil Statutes), as added by this Act,  
9 apply only to an offense committed on or after the effective date  
10 of this Act. For purposes of this section, an offense is committed  
11 before the effective date of this Act if any element of the offense  
12 occurs before that date.

13 (b) An offense committed before the effective date of this  
14 Act is covered by the law in effect when the offense was committed,  
15 and the former law is continued in effect for that purpose.

16 SECTION 54. Subchapter E, Private Investigators and Private  
17 Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil  
18 Statutes), as added by this Act, applies only to a violation of  
19 this Act or a rule or order adopted under this Act if that  
20 violation occurs on or after the effective date of this Act. A  
21 violation that occurs before the effective date of this Act is  
22 governed by the law in effect on the date the violation occurred,  
23 and that law is continued in effect for that purpose.

24 SECTION 55. The following provisions of the Private  
25 Investigators and Private Security Agencies Act (Article  
26 4413(29bb), Vernon's Texas Civil Statutes), are repealed:

27 (1) Section 9;

- 1                   (2) Sections 15(e) and (f);
- 2                   (3) Sections 19(g), (h), and (j);
- 3                   (4) Sections 33(c) and (d);
- 4                   (5) Section 38;
- 5                   (6) Section 39;
- 6                   (7) Section 41;
- 7                   (8) Section 43;
- 8                   (9) Sections 45(c)-(i); and
- 9                   (10) Section 46.

10                   SECTION 56. This Act takes effect September 1, 1999.

11                   SECTION 57. The importance of this legislation and the  
12 crowded condition of the calendars in both houses create an  
13 emergency and an imperative public necessity that the  
14 constitutional rule requiring bills to be read on three several  
15 days in each house be suspended, and this rule is hereby suspended.

H.B. No. 2617

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2617 was passed by the House on April 20, 1999, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2617 on May 17, 1999, by a non-record vote; and that the House adopted H.C.R. No. 295 authorizing certain corrections in H.B. No. 2617 on May 23, 1999, by a non-record vote.

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Chief Clerk of the House

I certify that H.B. No. 2617 was passed by the Senate, with amendments, on May 13, 1999, by a viva-voce vote; and that the Senate adopted H.C.R. No. 295 authorizing certain corrections in H.B. No. 2617 on May 24, 1999, by a viva-voce vote.

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Secretary of the Senate

APPROVED:

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Date

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Governor

<b>BILL NUMBER:</b>	HB 2617 (Section 2)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	"Extra Job Coordinator" Definition		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

<b>BILL SUMMARY:</b>
Item 37, which was added to this section, defines an "extra job coordinator" as one who "is employed full-time by the State or a municipality".

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Discuss interpretation of this section with sponsor of bill and suggest revision of section in upcoming Legislative session to add "political subdivision of the State" to the definition.*	Dr. Jerry L. McGlasson	09/01/99	A restraining order is in effect pending the next session of the Legislature.

\*In defining extra job coordinator as a peace officer who "is employed full-time by the State or a municipality", the law failed to specifically address employees of counties and/or special districts. A temporary restraining order was sought by and granted to the Harris County Deputy Sheriff's Association preventing TCPS from excluding them from this area of exemption. TCPS has interpreted this section (following conversations with the bill sponsor) to mean the State or a political subdivision of the State making it more inclusive.

<b>BILL NUMBER:</b>	HB 2617 (Section 5)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Commission Membership		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

**BILL SUMMARY:**

This bill requires that Commission membership be changed from six (6) to nine (9) members and that the majority of the Commission not be affiliated with the private security industry.

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Governor G. W. Bush is to appoint the new Commission members* and TCPS is to conduct a training program as required in the bill.**	Gov. G. W. Bush	Training Session 11/03/99	1 <sup>st</sup> Commission Meeting 12/16/99

\*Governor George W. Bush appointed Ms. Joan Neuhaus, Mr. Michael Samulin and Ms. Charlene Ritchey to staggered terms on the Commission.

\*\*As required in Section 5c, all members have successfully completed a training program regarding:

- (1) this Act;
- (2) the programs operated by the board;
- (3) the role and functions of the board;
- (4) the rules of the board, with an emphasis on the rules that relate to disciplinary and investigative authority;
- (5) the current budget for the board;
- (6) the results of the most recent formal audit of the board;
- (7) the requirements of:
  - (a) the open meetings law, Chapter 551, Government Code,
  - (b) the public information law, Chapter 2001, Government Code; and
- (8) any applicable ethics policies adopted by the board or the Texas Ethics Commission.

<b>BILL NUMBER:</b>	HB 2617 (Section 8)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Authorization to Commission Investigators Employed Full-Time by the Agency		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

<b>BILL SUMMARY:</b>
This section authorizes TCPS to "commission investigators employed full-time by the board as peace officers for the limited purpose of assisting the board in investigating alleged violations of this act and of board rules".

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Have all current full-time TCPS investigators obtain TCLEOSE certification and hire only licensed peace officer as field investigators in the future.*	Dr. Jerry L. McGlasson	January 1, 2001	

\*TCPS employs 12 field investigators in four regional offices as well as the headquarters staff in Austin. Ten of the 12 investigators are TCLEOSE certified as is the Chief of Investigations in Austin and the Executive Director. This change has resulted in 37 criminal prosecutions during the first three quarters of FY2000 as opposed to only 15 criminal prosecutions during all of FY1999. This increase is directly attributed to a willingness by District Attorneys to accept cases prepared by certified peace officers. One of the two uncertified investigators will retire December 31, 2000, and the remaining uncertified investigator was formerly certified and must only pass the relicensing exam to regain this status.

<b>BILL NUMBER:</b>	HB 2617 (Section 11)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Continuing Education		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

**BILL SUMMARY:**

See that continuing education is available for licensees.

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
License training academies and schools for continuing education* and list them on TCPS website.**	Dr. Jerry L. McGlasson		6/28/2000

\*TCPS currently licenses approximately 486 training academies or schools for continuing education. Two of the three major areas of regulation (investigators and alarms) have licenses through their professional organizations. The third major division (guards) indicated that they would be seeking a license from the Commission in the very near future to assist their membership in maintaining their continuing education requirements.

\*\*All information regarding continuing education providers can be found on the Internet website of the Commission at [www.tbpi.org](http://www.tbpi.org) for the convenience of the security industry.

<b>BILL NUMBER:</b>	HB 2617 (Section 13)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	License Denial/Revocation of Individuals with Convictions of Certain Crimes		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

<b>BILL SUMMARY:</b>
This section delineates the law regarding revocation of or refusal to license certain individuals upon conviction for certain crimes and setting forth when and how the board may hear appeals.

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Require licensees to notify TCPS of an arrest or conviction.* TCPS then complies with the Act by taking required action and presenting appeals to the Commission members as stated in the section.**	Dr. Jerry L. McGlasson	December, 1999 Commission Meeting	12/16/99

\*Upon arrest, any person holding a license from TCPS is required to notify TCPS of the arrest.

\*\*Procedures for compliance with all aspects of the Act following this notification are being followed, including those whose automatic suspension time has expired permitting them to appeal to the board of Commissioners. At each quarterly meeting, cases falling in this area are routinely heard by a quorum of the Commissioners. Decisions are rendered on the initial licensing, relicensing, denial or revocation of license following each public hearing.

<b>BILL NUMBER:</b>	HB 2617 (Section 15)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Reciprocal Agreements		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

<b>BILL SUMMARY:</b>
This section requires that TCPS grant a reciprocal license to an individual who is licensed in another state with whom the State of Texas has a reciprocal agreement.

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Work with other states as applications are submitted to reach agreements for submission to the Office of the Governor for approval.*	Gov. G. W. Bush	**	**

\*A tentative agreement for reciprocity between the states of Texas and Oklahoma has not been approved by the Office of the Governor based on the newly enacted, more stringent requirements of Texas on criminal history. An application from the State of Louisiana for similar consideration appears to suffer from the same defect. Succinctly stated, we find that the State of Texas has more stringent restrictions on criminal history for those who are licensed in private security than does any state with which we share a border.

\*\*These agreements will be negotiated and submitted to the Office of the Governor as applications are received.

<b>BILL NUMBER:</b>	HB 2617 (Section 16)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Public Access to Disciplinary Actions Against Licensees		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

<b>BILL SUMMARY:</b>
This section addresses public access to certain records of disciplinary actions and requires that the agency "make available to the public through a toll-free telephone number, Internet website, or other easily accessible medium determined by the board the following information relating to a disciplinary action taken during the preceding three years regarding a person regulated by the board."

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
List disciplinary actions against licensees and denials of applicants on TCPS website.*	Gloria Ratley LeVerne Johnson	10/1/99	10/1/99

\*A synopsis of all license suspensions and revocations is posted on the TCPS website ([www.tbpi.org](http://www.tbpi.org)). On September 1, 2000, an additional posting of all those who have been denied a license will be added. The denial posting has been delayed to permit the installation of a high-speed data line, commonly referred to as a "T-1 Line". This T-1 Line is required to alleviate what has become an unacceptably slow response as a result of interest in the data currently on this website.

\*\*Beginning October 1, 1999, disciplinary actions effective during the previous month are listed on the TCPS website, in addition to disciplinary actions taken at each quarterly Commission meeting.

<b>BILL NUMBER:</b>	HB 2617 (Section 17)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Political Subdivision Exemptions Regarding Alarm Systems		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

<b>BILL SUMMARY:</b>
Subsections d, e, and f were added regulating what type of alarm systems may be sold, serviced, installed or monitored by a political subdivision, but exempted political subdivisions below a certain population.

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Monitor the applicable political subdivisions to see that the provisions in this section are not violated.*	Dr. Jerry L. McGlasson	9/1/99	Ongoing for Compliance

\*Since this provision came into effect, TCPS has had no notification that any political subdivision has violated any of the provisions in this section.

<b>BILL NUMBER:</b>	HB 2617 (Section 28)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Written Notification of License Expiration		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

**BILL SUMMARY:**

Notify licensees in writing at least 30 days prior to license expiration.

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Devise a method whereby, 60 days prior to expiration, licensees are notified in writing of the terms and conditions of renewal (continuing education and/or firearm qualification).*	Dr. Jerry L. McGlasson	12/31/2000	

\*All provisions of this change are flowing smoothly except the "thirty-day notification" provision. The current computerized licensing program will neither automatically nor manually generate this required notification. As a result of our inability to comply with our own regulation, we have routinely waived "late fees" for those who seek renewal within a reasonable time following the expiration of their license. We are seeking a computer program change that will automatically notify all licensees of the terms and conditions of renewal (continuing education and/or firearms qualification) sixty (60) days prior to license expiration. (This 60-day notification will be done as a convenience for our licensees and exceeds the statutory requirements.) Unless and until this flaw in the computer program can be addressed, we will continue to waive the late fee when it appears the license has made an effort to seek renewal in a timely manner. As a result of an excessively high return of licenses as a result of the applicant having moved to another residence, we are currently mailing renewal licenses to the company address rather than the home address of the applicant. This is a relatively new procedure, but one that we feel will better serve all concerned.

<b>BILL NUMBER:</b>	HB 2617 (Section 30)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	FBI Criminal History Checks		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

**BILL SUMMARY:**

All individuals applying for or renewing a license with TCPS after September 1, 1999, must undergo a criminal history check through the FBI via fingerprint analysis.

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Fingerprints on all individuals (including noncommissioned security officers) applying or renewing with TCPS will be forwarded to the FBI in addition to the customary submission of fingerprints to DPS.*	Dr. Jerry L. McGlasson	9/1/99	Ongoing Process

\*TCPS, as a result of the legislature granting it criminal justice status, has the ability to receive criminal history records on all applicants for a license. The results of the criminal history check are predominantly the final information required to issue a license under this Act. In the past, non-commissioned security officers had not been included in the Act.

<b>BILL NUMBER:</b>	HB 2617 (Section 35)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Written Complaint Maintenance & Notification		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

<b>BILL SUMMARY:</b>
TCPS must maintain a file on all written complaints filed with the board and regularly notify the person filing the complaint of the status until the final disposition.

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
All statutorily required information is to be maintained by TCPS with timely notification of status to complainant until final disposition of case.*	Dr. Jerry L. McGlasson	9/1/99	Ongoing Process

\*TCPS follows and is in complete compliance with the procedure set out in H.B. 2617 in regards to maintaining a file of statutorily required information and timely notification to the complainant regarding the status of the complaint until there is a final disposition.

<b>BILL NUMBER:</b>	HB 2617 (Section 36)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Penalty Specifics for Violation of The Private Security Act		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

<b>BILL SUMMARY:</b>
This section details the imposition of the penalty for violating the Act, including specifics on the amount, notice of, hearing request, procedures, board decisions, options, stays, collections and release of bonds posted as a result of the violation.

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Devise and follow procedures for complying with all aspects of this section.*	Dr. Jerry L. McGlasson	9/1/99	Ongoing Review

\*TCPS follows and is in complete compliance with the procedure set out in H.B. 2617 regarding penalties.

<b>BILL NUMBER:</b>	HB 2617 (Section 37)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Modification to Article 2.12 of the Code of Criminal Procedures		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

<b>BILL SUMMARY:</b>
Board investigators are to be commissioned by TCPS as peace officers.

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Follow procedures to have current investigators update or obtain TCLEOSE certification and hire only licensed peace officers for investigator positions in the future.	Dr. Jerry L. McGlasson	12/31/00	

<b>BILL NUMBER:</b>	HB 2617 (Section 44)	<b>BILL AUTHOR SPONSOR:</b>	Bosse/Wise Harris
<b>STATUTORY CITATION:</b>	Article 4413 (29bb) V.A.C.S. Chapter 1702 of the Texas Occupations Code		
<b>SUBJECT:</b>	Transfer Hearing Responsibilities to the State Office of Administrative Hearings (SOAH)		
<b>IMPLEMENTATION RESPONSIBILITY:</b>	Dr. Jerry L. McGlasson, Executive Director, TCPS		
<b>EFFECTIVE DATE:</b>	September 1, 1999		

<b>BILL SUMMARY:</b>
TCPS is to transfer responsibility for hearings regarding hearings, other than summary suspension or summary denial of applications, to the State Office of Administrative Hearings (SOAH).

<b>STEPS</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TARGET DATE</b>	<b>DATE COMPLETED</b>
Transfer all "in-house" appeals to SOAH.*			March 1, 2000

\*The transfer of responsibility for hearings, other than summary suspension or summary denial of applications, to the State Office of Administrative Hearings (SOAH) was completed on March 1, 2000.

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