

BILL ANALYSIS

Senate Research Center
78R5097 YDB-F

S.B. 1252
By: Armbrister
Criminal Justice
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DIGEST AND PURPOSE

Under current law, the alarm system industry is regulated under Chapter 1702 (Private Security), Occupations Code. The alarm system industry has changed since the provisions to regulate this industry were enacted. As proposed, S.B. 1252 amends the Occupations Code to reflect advances in security alarm system technology.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 1702.002(1) and (6), Occupations Code to redefine “alarm system” and “detection device.”

SECTION 2. Amends Section 1702.124(a), Occupations Code, to prohibit the Texas Commission on Private Security (commission) from issuing a license unless the applicant files with the commission evidence of general liability insurance policy on a certificate of insurance form prescribed by the Texas Department of Insurance, rather than the commission, and countersigned by an insurance agent licensed in this state; or a certificate of insurance for surplus lines coverage obtained under Chapter 981 (Surplus Line Insurance), rather than Article 1.14-2, Insurance Code, through a licensed Texas surplus lines agent resident in this state.

SECTION 3. Amends Section 1702.223, Occupations Code, to provide that an individual acts as an alarm systems installer for purposes of this chapter if the individual installs, maintains, or repairs an alarm system or detection device.

SECTION 4. Amends Section 1702.239(a), Occupations Code, to authorize the commission to approve only nationally recognized training programs that consist of at least 16 hours, rather than 20 hours, of classroom study in the areas of work allowed by the registration.

SECTION 5. Amends Section 1702.324(b), Occupations Code, as follows:

(b)(4) Provides that this chapter does not apply to a locksmith who does not sell, install, or service alarm systems or detection devices.

(b)(7) Provides that this chapter does not apply to a person who is a licensed professional engineer practicing engineering supervising engineering practice under Chapter 1001, Occupations Code, rather than Texas Engineering Practice Act (Article 3271(a), V.T.C.S.), including forensic analysis, burglar alarm system engineering, and necessary data collection.

SECTION 6. Amends Section 1702.328, Occupations Code, to provide that this chapter does not apply to a person who sells exclusively over the counter or by mail order alarm systems or detection device, rather than signal devices, burglary alarms, television cameras, still cameras, or other electrical, mechanical, or electronic device used for preventing or detecting burglary, theft, or other losses. Makes a conforming change.

SECTION 7. Effective date: September 1, 2003.