

MAY 10 2018



ASSOCIATED SECURITY SERVICES & INVESTIGATORS OF THE STATE OF TEXAS, INC.

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The Honorable Brian Birdwell
Chairman, Sunset Advisory Committee
Texas Senate
P.O. Box 12068 – Capitol station
Austin, TX 78711

Dear Senator Birdwell,

May 8, 2018

Our association is made up of Security Officers, Company Owners and Managers from across the State of Texas. We appreciate the opportunity to respond to the Sunset staff recommendations concerning the future regulation of our industry in Texas.

We agree with Sunset staff that the regulatory model currently in use by DPS can be improved. We feel that DPS has made and continues to make great strides in improving the regulatory process of the Private Security Industry in Texas and look forward to continuing to work with them in this endeavor.

After reviewing the Sunset Staff's recommendations, we are very concerned that some of the recommended regulatory changes will negatively affect the public safety of the citizens of the State of Texas.

Staff has recommended doing away with the Governor appointed Private Security Board and replacing it with an advisory board to be appointed by the Public Safety Commission or by the Director of DPS.

We feel that the board has been effective in voicing industry concerns to DPS. However, should it be the will of the Legislature to keep our regulatory authority under DPS and to do away with the appointed board, we would respectfully request that the Chairman of the Public Safety Commission be directed to designate one of the Public Safety Commissioners as liaison to the new advisory board.

We agree that the deregulation of some individuals and entities that do not directly provide security services such as owners, partners w/less than 51%, shareholders, corporate officers, and admins will help eliminate layers of regulations. But the deregulation of governmental subdivisions and private business with internal security departments will place the public at undue risk as currently these entities must maintain insurance, conduct background checks, ensure training requirements are met and have management oversight to ensure that the department and its officers are meeting the requirements of Chapter 1702 of the Occupations Code and Board rules, thus protecting the citizens.



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Other recommendations of concern include requiring individuals who provide private security services to obtain a license rather than a registration or an endorsement and removing the requirement of regulated individuals to be affiliated with licensed companies. Not requiring company affiliation will cause a regulatory enforcement nightmare for DPS and will allow individuals who do not or cannot meet licensing requirements to provide security services to an unknowing public and be almost impossible for DPS Enforcement Officers to find.

Lastly recommendations were made to do away with the requirement for companies to have a Licensed Manager, and to do away with the Jurisprudence Examination which are currently required. The Licensed Manager is tasked with ensuring that an organization is operating within the guidelines of Chapter 1702 of the Occupations Code, and DPS Board Rules, as well as ensuring that State Sales Taxes are collected for those services. The Jurisprudence Exam ensures that these managers are aware of the rules and regulations and understand that they must operate the business within those guidelines to protect the public's interest. Allowing individuals who have minimal to no experience in the security industry and who have not shown a proficiency of knowledge of Chapter 1702 and Board Rules will once again cause a regulatory nightmare that will require additional man power from DPS to respond to issues and complaints from the public directly caused by individuals who are unaware or unwilling to follow the rules and regulations designed to protect the public.

We appreciate the hard work of the Sunset Staff and their willingness to seek our input on these recommendations.

We stand ready to work with the Sunset Advisory Committee as you craft these recommendations into legislation. Please do not hesitate to call upon us if we may provide additional information or assistance.

Sincerely,

Charles D. Kellis, President
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