

# **PRIVATE SECURITY STATUTES & RULES**



**Revised November 3, 2016**

# **PRIVATE SECURITY ACT**

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**AS AMENDED BY THE 84<sup>th</sup> LEGISLATURE, REGULAR SESSION**



**TEXAS OCCUPATIONS CODE  
TITLE 10. OCCUPATIONS RELATED TO LAW ENFORCEMENT AND SECURITY  
CHAPTER 1702. PRIVATE SECURITY**

**Effective January 1, 2016**







































































































































































- (e) Proof of qualification as a personal protection officer instructor shall include, but not be limited to:
  - (1) A firearm instructor's certificate issued by TCOLE along with proof that the individual has instructed nonlethal self-defense or nonlethal defense of a third party for three (3) or more years. Evidence may include:
    - (A) Affidavit from employer; or
    - (B) A copy of curriculum taught.
  - (2) An instructor's certificate issued by federal, state, or political subdivision law enforcement academy along with proof that the individual has instructed nonlethal self defense or nonlethal defense of a third party for three (3) or more years. Evidence may include:
    - (A) Affidavit from employer; or
    - (B) A copy of curriculum taught.
  - (3) An instructor's certificate issued by TEA along with proof that the individual has instructed nonlethal self defense or nonlethal defense of a third party for three (3) or more years. Evidence may include:
    - (A) Affidavit from employer; or
    - (B) A copy of curriculum taught.
  - (4) An instructor's certificate relating to law enforcement, private security or industrial security issued by a junior college, college or university along with proof that the individual has instructed nonlethal self defense or nonlethal defense of a third party for three (3) or more years. Evidence may include:
    - (A) An affidavit from an employer; or
    - (B) A copy of curriculum taught.
  - (5) Evidence of successful completion of a department approved training course for personal protection officer instructors.
- (f) A letter of approval from the department shall be issued to each approved instructor and shall be valid for a period of one (1) year. The instructor's approval may be renewed for a period of one (1) year, upon application to the department and payment of the renewal fee.
- (g) Notice shall be given in writing to the department within fourteen (14) days after a change in address of the approved instructor.
- (h) A letter of approval from the department shall be issued to each approved instructor and shall be valid for a period of one (1) year. The instructor's approval may be renewed at any time up to one (1) year after expiration, upon application to the department and payment of the renewal fee.
- (i) In addition to summary actions under the Act, based on criminal history disqualifiers, the department may revoke or suspend an instructor's approval or deny the application or renewal thereof upon evidence that:
  - (1) The instructor or applicant has violated any provisions of the Act or this chapter;
  - (2) The qualifying instructor's certificate has been revoked or suspended by the issuing agency;
  - (3) A material false statement was made in the application; or
  - (4) The instructor does not meet the qualifications set forth in the provisions of the Act and this chapter.

Source Note: The provisions of this §35.143 adopted to be effective May 6, 2014, 39 TexReg 3609

**RULE §35.144 - Training Manuals and Examinations for Commissioned Security Officer and Personal Protection Officer**

- (a) The most current version of department's training manuals shall be used by all department approved Level III and Level IV training schools.
- (b) All students of a Level III or Level IV training school shall be tested with the most current version examination prepared by and obtained from the department.
- (c) The passing grade of all examinations shall be a minimum of 75% correct answers.

Source Note: The provisions of this §35.144 adopted to be effective May 6, 2014, 39 TexReg 3609

**RULE §35.145 - Handgun Courses**

- (a) In addition to the firearm qualification requirements as set forth in the Act, a department approved firearm training instructor may qualify a student by using:
  - (1) The Texas Department of Public Safety Primary Issued Handgun Qualification Course; or
  - (2) The Texas Department of Public Safety Approved Concealed Handgun License Course.
- (b) All individuals qualifying with a firearm to satisfy the requirements of the Act shall qualify with an actual demonstration by the individual of the ability to safely and proficiently use the category of firearm for which the individual seeks qualification.
- (c) The categories of handguns are:
  - (1) SA--Semi-automatic; and
  - (2) NSA--Non semi-automatic.











**RULE §35.184 - Credit for Military Experience and Training**

- (a) Verified military service, training, or education that relates to the registration, commission, or license for which a military service member or military veteran has applied will be credited toward the respective experience or training requirements.
- (b) This section does not apply to an applicant who:
  - (1) Holds a restricted license issued by another jurisdiction; or
  - (2) Is ineligible for the registration, commission, or license under the Act or this chapter, based on a disqualifying criminal history.

Source Note: The provisions of this §35.184 adopted to be effective May 6, 2014, 39 TexReg 3611

**RULE §35.185 - Definitions**

For purposes of this subchapter, the terms 'military service member', 'military veteran', and 'military spouse' have the meanings provided in Texas Occupations Code, §55.001.

Source Note: The provisions of this §35.185 adopted to be effective January 10, 2016, 41 TexReg 496