

SUBJECT: Defining regulated detection devices and alarm systems

COMMITTEE: Public Safety — favorable, with amendment

VOTE: 8 ayes — Oakley, Driver, Carter, Keel, Madden, McClendon, Olivo, E. Reyna

0 nays

1 absent — Keffer

SENATE VOTE: On final passage, April 21 — voice vote

WITNESSES: (*On House companion, HB 1455*)
For — Gregg Drake, Detex Corp.; W. Mike Clark, Texas Locksmith Association; Howard H. Johnson

Against — Forrest Jenkins, National Security Association; Malcolm R. Reed

On — Larry R. Shimek, Texas Board of Private Investigators and Private Security Agencies

BACKGROUND
:

The 74th Legislature enacted the Private Investigators and Private Security Agencies (PIPSA) Act . The act defines an alarm systems company as any person that sells, installs, services, monitors or responds to burglar alarm signal devices, detection devices, burglar alarms, robbery alarms, television cameras, still cameras, or any other electrical, mechanical or electronic devise used to:

- prevent or detect burglary, theft, robbery, shoplifting, pilferage, shrinkage or other similar losses;
- prevent or detect intrusion; or
- detect or summon aid for other emergencies.

The act defines detection device as an electronic device used as a part of a burglar or hold-up alarm, including any control, communications, motion detector, door or window switch, sound detector, vibration detector, light

beam, pressure mat, wiring or similar device; or any electronic device used to limit access by persons into building structures or gate compounds, including any control, communications, motion detector, door or window switch, card or proximity readers, push-button key pad entry, gate entry device, door exit buttons, or similar device.

DIGEST: SB 691, as amended, would change the definition of alarm systems company to exclude persons who sell such devices. The revised definition also would add alarm systems to the list of covered systems and delete current references to uses. The definition would specify that it encompassed systems used to signal the presence of an emergency or other hazard requiring urgent attention and to which law enforcement or other emergency services were expected to respond.

The bill also would delete references to electronic devices used to limit access and specify that detection devices would not include electronic devices used solely to limit entry into a building or gate compound that did not store or transmit information about the entry.

SB 691 would take effect September 1, 1997,

SUPPORTERS SAY: SB 691 would clarify definitions in the PIPSA act. Currently the act could be interpreted as forcing locksmiths to be licensed in order to install simple locks. This is clearly not the intent of the act.

The bill also would revise the definition of electronic device to exclude persons who only install devices used to limit access. These clearly are not designed as systems for alerting authorities about an emergency and should not be covered by the act's registration requirements.

OPPONENTS SAY: SB 691 would give an unfair advantage to persons installing electronic access control systems over other installers of security systems by removing them from regulation under PIPSA. Access systems clearly are security systems; defining them as otherwise is unfair. There is also no good reason to exempt locksmiths from criminal background checks because they are still in the security industry.

NOTES: The committee amendment would exempt devices that strictly limited access and did not store or transmit information from the definition of detection device.