

Tex. Occ. Code § 1702.104

This document is current through the 2023 Regular Session; the 1st C.S.; the 2nd C.S.; the 3rd C.S. and the 4th C.S. of the 88th Legislature; and the November 7, 2023 general election results.

Texas Statutes & Codes Annotated by LexisNexis® > Occupations Code > Title 10 Occupations Related to Law Enforcement and Security (Chs. 1701 — 1800) > Chapter 1702 Private Security (Subchs. A — Q) > Subchapter F Licensing and Duties of Investigations Companies and Security Services Contractors (§§ 1702.101 — 1702.134)

Sec. 1702.104. Investigations Company.

- (a) A person acts as an investigations company for the purposes of this chapter if the person:
 - (1) engages in the business of obtaining or furnishing, or accepts employment to obtain or furnish, information related to:
 - (A) crime or wrongs done or threatened against a person, state, or the United States;
 - (B) the identity, habits, business, occupation, knowledge, efficiency, loyalty, movement, location, affiliations, associations, transactions, acts, reputation, or character of a person;
 - (C) the location, disposition, or recovery of lost or stolen property; or
 - (D) the cause or responsibility for a fire, libel, loss, accident, damage, or injury to a person or to property;
 - (2) engages in the business of securing, or accepts employment to secure, evidence for use before a court, board, officer, or investigating committee;
 - (3) engages in the business of securing, or accepts employment to secure, the electronic tracking of the location of an individual or motor vehicle other than for criminal justice purposes by or on behalf of a governmental entity; or
 - (4) engages in the business of protecting, or accepts employment to protect, an individual from bodily harm through the use of a personal protection officer.
- (b) For purposes of Subsection (a)(1), obtaining or furnishing information includes information obtained or furnished through the review and analysis of, and the investigation into the content of, computer-based data not available to the public. The repair or maintenance of a computer does not constitute an investigation for purposes of this section and does not require licensing under this chapter if:
 - (1) the review or analysis of computer-based data is performed only to diagnose a computer or software problem;
 - (2) there is no intent to obtain or furnish information described by Subsection (a)(1); and

- (3) the discovery of any information described by Subsection (a)(1) is inadvertent.
- (c) The review and analysis of computer-based data for the purpose of preparing for or responding to a cybersecurity event does not constitute an investigation for purposes of this section and does not require licensing under this chapter.

History

Enacted by Acts 1999, 76th Leg., ch. 388 (H.B. 3155), § 1, effective September 1, 1999; am. Acts 2007, 80th Leg., ch. 906 (H.B. 2833), § 4, effective September 1, 2007; am. Acts 2009, 81st Leg., ch. 1146 (H.B. 2730), § 4.32, effective September 1, 2009; Acts 2019, 86th Leg., ch. 509 (S.B. 64), § 20, effective September 1, 2019.

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