

TEXAS LOCKSMITH'S ADVISOR

July 2005

TEXAS LOCKSMITHS ASSOCIATION
2004 BOARD OF DIRECTORS

PRESIDENT

Jim Hetchler
P.O. Box 68
Blanco, TX 78606
210-225-5397
Toll Free: 1-877-TLA-INFO
president@texaslocksmiths.org

2ND VICE PRESIDENT

John Arnold
3201 Blue Jay
Corinth, TX 76210
972-245-9583
Fax: 972-245-0219
2nd@texaslocksmiths.org

TREASURER

Jim Ackerman
5571 Diamondback Trail
San Antonio, TX 78222
512-844-9554
Fax: 210-648-9442
treasurer@texaslocksmiths.org

SERGEANT-AT-ARMS

Bill Bybee
1705 Spring Branch
Cleburne, TX 76033
817-938-5940
sgt@texaslocksmiths.org

1ST VICE PRESIDENT

Ed Stites
RR 1 Box 49G
Bay City, TX 77414
979-323-9919
1st@texaslocksmiths.org

SECRETARY

Troy Maynard
PO Box 342
Dripping Springs, TX 78620
512-933-0300
Fax: 512-264-3060
sec@texaslocksmiths.org

PARLIAMENTARIAN

Tom Fagan
8458 Timber Loche
San Antonio, TX 78250
210-885-3526
parl@texaslocksmiths.org

EDITOR

Steve Sandlin
63A Summer Pl
Huntsville, TX 77340
936-291-6450
Fax 936-435-1324
editor@texaslocksmiths.org

COMMITTEES

BOARD OF TRUSTEES

Pat Titus
P.O. Box 142
Adkins, TX 78101-0142
210-649-2166
Fax: 210-649-2698
btitus@sprintmail.com

WEBMASTER

Glenn Koons
5311 Valburn Circle
Austin, TX 78731
512-346-2326
Fax: 512-346-3871
Webmaster@texaslocksmiths.org

MEMBERSHIP

Steve Morris
265 Oak Meadows Dr.
San Marcos, TX 78666
membership@texaslocksmiths.org

President's Message

The summer is upon us! Hot it is! That is in the current vernacular of the Star Wars era. It looks like the summer doldrums we be in effect by the time you read this.

I have been calling all the TLA members that I can and finding some interesting things. Most I talk to say the business is either booming or is up. That is good news. Most also say they favor the licensing law and what TLA has been doing. That also makes me feel good. I have answered a few questions, helped a few members with the license problems at DPS, and generally have had some really good conversations. If I haven't spoken with you I will in the next couple of months. There are many concerns about enforcement but I can only convey to you what is told to me by the leadership at DPS, Private Security Bureau (PSB), "There are going to be some real surprised locksmiths in the coming months." A new law was passed and is on the Governor's desk waiting for his signature. This bill, HB2303, will give the PSB the right to raise fees and keep the money within the bureau. With those increased fees you will see a much larger presence of DPS officers out there enforcing the law. Now before you go jumping all over my and TLA's back, this is again a law we had nothing to do with, nor had the ability to do anything with. This was in committee, passed and out to the Governor before we heard much about it. So what does this law mean? The fees paid by the 50,000 + licensee's of PSB will see a fee increase. This increase will affect a much larger workforce than just locksmiths. We are a very small part of PSB. How much of an increase and when remains to be seen. I am sure they will let us know. I just thought I would give you a heads up. The only way this will not happen is if the Governor veto's the bill which I don't think will happen. If you would like to look at this bill go to:

[http://www.capitol.state.tx.us/cgi-bin/tlo/textframe.cmd?
LEG=79&SESS=R&CHAMBER=H&BILLTYPE=B&BILLSUFFIX=02303&
VERSION=5&TYPE=B](http://www.capitol.state.tx.us/cgi-bin/tlo/textframe.cmd?LEG=79&SESS=R&CHAMBER=H&BILLTYPE=B&BILLSUFFIX=02303&VERSION=5&TYPE=B)

The other bill effecting locksmiths was HB2243. This also passed and is waiting for the Governor to sign. This bill requires a person to show they have authority to authorize you to open a structure or vehicle. This wording is:

Sec. 1702.286. CUSTOMER AUTHORIZATION REQUIRED FOR CERTAIN LOCKSMITH SERVICES. (a) A locksmith company or locksmith may not perform services for a customer who seeks entry to a structure, motor vehicle, or other property unless the customer, in the course of the transaction:

Cont. on P.5

Subscribe to TLA's eMailing List to receive this publication [Texas Locksmiths Advisor] by email/download instead of regular mail. Go to www.texaslocksmiths.org/advisor and Subscribe to the eMailing List for User Name / Password to Members Area . Or, send an email to tla_advisor@texaslocksmiths.org with SUBSCRIBE in the Subject line. You must supply your Last Name, First Name, TLA Member # and send from a valid email address. Note: AOL has a bulk email blocking system; Please use an alternate email account/address.

I encourage you to Subscribe to TLA's eMailing List to receive important announcements and the most up-to-date information as it is posted. By subscribing, you will also save the Association printing and mailing costs.

Thanks in advance, TLA Webmaster

TEXAS LEGISLATIVE FUND

The Texas Locksmiths Association monitors legislation, licensing, and regulation to look after the interests of locksmiths in Texas. A portion of the membership dues helps maintain this program, but additional contributions are needed. Those wishing to support this effort with a donation or donate items for auction, please contact a member of the board or call 1-877-TLA-INFO.

UP COMING EVENTS

- | JULY | | AUGUST | |
|-------------|------------------|---------------|--------------------|
| 4 | INDEPENDENCE DAY | 8 | ALNT MEETS |
| 11 | ALNT MEETS | 9 | GHLA MEETS |
| 12 | GHLA MEETS | 11 | LASA MEETS |
| 14 | LASA MEETS | 15 | GDLA MEETS |
| 17-24 | ALOA CONVENTION | 27 | L.B.J. DAY (TEXAS) |
| 18 | GDLA MEETS | | |

MEMBERSHIP

The following persons have applied for membership in the Texas Locksmiths Association.

Applicants will be listed in the Advisor for a period of 90 days to allow members the opportunity to identify any applicant that may be deemed "not suitable" for membership and allow proper notification of the Membership Chairman, Steve Morse at 512-353-8615 or email aaaakey@grandecom.net, of such applicant.

30 Days

Gonzalo Alvarez, Houston, TX
Annette Jophnson, Porter, TX

60 Days

Christopher Grounds, Hillsboro, TX
Norman Nost, Houston, TX
Stanley Person, Euless, TX
Rusty Coker, Amarillo, TX
Steve Cothron, Austin, TX

90 Days

Joe Martin, Beeville, TX
Jack Street

CONTINUED ON P.4

Texas License Verification

If you are curious as to whether an individual or company is licensed through the Department of Public Safety, it is simple to research on the DPS web site. To do so, just follow these steps:

1. Go to the Texas DPS Private Security Board Web Page at <http://www.tcps.state.tx.us>
2. On the Bottom Left, Select Search Individual or Search Company.
3. Enter Known Information
4. Press Enter, or Select Search

New Members

APPROVED BY BOARD

Chadwick Thornton
William Hardin
Juanita Ramsey
Dale Shaw
Robert Kane
Ernest Parker
Wallace Toutant
Antonio Machuca
Vickie Schachar
David Durocher
Joe Martin
Ricky Raney
Tyron Hunter
Jesus Quintero, Jr.
Michael Cornitius
John Cheatham
Terra Kindred
Thomas Quirk
Nicholas Fletcher
James Horton, III
William Kindred
Michelle Popham
Daniel May

Robert Clark
Robert West
Charlotte Wadleigh
Robert Stillely
Michael Soliz'Federico Avila
Dennis Baker
Kelly Lawless
Jason Lerma
Martin Lopez III
Sergio Maldonado
Robert Sharp
Krisen Andrews
Joseph White
Ricky Brock
Gilbert Cantu
Gregg Null
Ralph Oestreich
Bill Roth
Steven Sharp
Barbara Grounds
Jose Garcia
Billy Winfrey, Jr.

FOR LOCKSMITHS NEEDING INFORMATION ON LICENSING, CONTACT TLA PRESIDENT JIM HETCHLER AT:

TEXASLOCKSMITHS@AOL.COM

President's Message

Cont. from P.1

(1) shows the locksmith company or locksmith a government-issued identification; and

(2) provides a signed authorization stating that the customer owns or is otherwise entitled to legal access to the structure, motor vehicle, or other property.

(b) A locksmith company or locksmith is exempt from Subsection (a) if the locksmith is requested to perform services in a case of imminent threat to a person or property.

So what this law does for you is put the requirement to provide proof upon the person signing the authorization. So if they in fact lie to you and cause an illegal act because of it they become responsible. If on the other hand you don't get a release such as this signed and something illegal happens then you may have the liability put upon you. So start getting a release signed anytime you open a car or structure.

We are going to try and have our 2006 convention in the Fort Worth/Dallas area. I hope to have more details for you soon. Looking forward to going back to the North part of the State.

One more thing! You should know by now that you must have 8 hours of C.E. credits before you renew your pocket cards next year. In case you didn't know One (1) hour of those Eight (8) must be in Ethics. TLA will be coming around with instructors authorized by the State to put those classes on for you. Keep in touch with your local Associations for details.

Jim Hetchler

President



TLA IS AN AFFILIATE MEMBER OF ALOA
www.aloa.org

Expired TLA Memberships

The following TLA members are now listed as inactive. Those wishing to continue as active members should contact the TLA Secretary immediately.

George Aretis
Dan Augustyn
Timothy Boudreaux
Daniel Cordell
Rickie Croxton
Eddie Danley
William Dodson, Jr.
Patrick Edwards
James Elkins
Melvin Ervin
Michael Eustace
Ralph Few
Dennis Fitzgerald
Richard Foster
Steven Frazier
Roland Gastine
Ernest Gaut
Clayton Goodman
Kevin Griffin
Enrique Guerra
Cindi Hallcom
William Irwin
Elwin Jensen
Mike Junkin

Nathan Kaderka
Richard Kennedy
Curvis Knight
Henry Lachausse, IV
Dwight LaCoste
Glenn Lawrence, Jr.
Alan Lee
Alvin Levy
Dale Lostracco
Russell Lucas
John Madden
Jeremy McLean
Thomas Miller
Joel Ramirez, Jr.
Sam Rodriguez, Jr.
Ron Scott
William Simmons
Terry Simons
Murry Starkey
Earl Travis
Terry Tripp
Michael Vaughan
William Walker
Joan Yarrington

New Rules Allow Free Credit Reports

Newly enacted federal laws allow individuals to obtain without cost a copy of their credit report from each of the three major credit reporting agencies. Each agency will be required to allow an individual one free report yearly. It is not required that each agency be contacted at the same time, therefore one could contact one agency, wait 4 months, contact another credit reporter, etc. and get an updated free report three times yearly. This is advisable if you are buying a large item such as a home, car, or boat. Knowing your credit information will allow you to shop for the best terms on the loan.

OPEN FORUM ON LOCKSMITH LICENSING

July 9th, 2005, 6:30 PM till ???

Big Tex Restaurant

Amarillo, Texas

Speaker

Jim Hetchler

Chairman

Texas Locksmith Advisory Committee

Win Free TLA Membership Dues

The TLA Board of Directors, at its November meeting, approved a plan to award free membership dues quarterly to TLA members. Surely there's a catch! It's really simple, though. The *ADVISOR*, the TLA publication is soliciting member article submissions. In each quarter, the article judged as the best will be awarded a free year's renewal for its author. The presentation of the first award will take place at the TLA Convention in March. Articles should pertain to the locksmith community. Articles should be submitted (preferably by e-mail) to the Editor at the address shown inside the front cover of the *Advisor*. Should you have any questions about articles, submission, or the award, feel free to contact the Editor. Articles will be judged by the TLA

SUBMISSIONS TO TEXAS LOCKSMITHS ADVISOR

**Send your Comments, Questions, Suggestions, Articles, Letters,
Tips & Tricks, News & Class/Event Information to the Editor by:**

Email to: TLA_Newsletter@hotmail.com

Regular Mail to:

Steve Sandlin

63A Summer Pl.

Huntsville, TX 77340

Submissions for inclusion in this publication must be received by the 10th of the month prior to the publication date. E.g., Submissions for the August issue must be received by July 10.

Amarillo Auto Class Coming

AUTOMOTIVE CLASS TIPS, TRICKS AND TRANSPONDERS!

July 9th, 2005

Instructor Jim Hetchler

**Jerry Dicky Motors
2725 SW 45th St. (I27 & Eway)
Amarillo, TX.
8:00 AM till 5:00 PM**

**TPLA Members \$50.00
Non-Members \$75.00 (Dues are \$40.00)
(with free lunch)**

**Class limit is 25 students and must
be registered by June 30th, 2005**

**Classroom from 8AM to 12PM
Hands-on 1PM to 5PM**

**Contact Jimmy Castilleja at
806-773-2550**

Sponsored by H.L. Flake Co.

New Texas Laws

AN ACT

relating to the regulation of and rights of private security personnel.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 1702, Occupations Code, is amended by adding Section 1702.047 to read as follows:

Sec. 1702.047. ADMINISTRATIVE STAFF. The department shall designate a department employee who shall report directly to the board. The employee designated under this section shall assist the board in the administration of the board's duties. The salary for an employee designated under this section may not exceed the salary specified in the General Appropriations Act for an employee subject to salary group A10.

SECTION 2. Subchapter D, Chapter 1702, Occupations Code, is amended by adding Section 1702.0611 to read as follows:

Sec. 1702.0611. RULEMAKING PROCEDURES. (a) The board may only adopt rules under this chapter on the approval of the Public Safety Commission as provided by this section.

(b) Before adopting a rule under this chapter, the board must:

- (1) determine the need for the proposed rule;
- (2) work with persons who will be affected by the rule to ensure consideration of all relevant issues regarding the proposed rule;
- (3) consult with an attorney in the department's regulatory licensing service to draft the rule and ensure that the proposed rule complies with statutory requirements regarding administrative rules; and
- (4) submit the proposed rule to the department's general counsel, director, and chief accountant for consideration of the proposed rule's impact on the department and to ensure that the proposed rule is within the board's authority.

(c) On the completion of the required publication and comment periods under Chapter 2001, Government Code, the Public Safety Commission shall:

- (1) return the proposed rule to the board if:
 - (A) the commission identifies a problem with the rule that must be resolved before the rule is approved; or
 - (B) a comment requiring resolution is received during the comment period; or
- (2) place the rule on the commission's agenda for final approval during the commission's next regularly scheduled meeting.

(d) On approval of the proposed rule by the Public Safety Commission, the department shall comply with the requirements of Chapter 2001, Government Code, for final adoption of the rule. *(cont. on page 10)*

Texas Law

*Cont. from
P. 9*

SECTION 3. Section 1702.062(a), Occupations Code, is amended to read as follows:

(a) The commission by rule shall establish reasonable and necessary fees that produce sufficient revenue to administer this chapter. The fees may not produce unnecessary fund balances and may not exceed the following amounts:

Class A license	\$350 [\$250] (original and renewal)
Class B license	\$400 [\$300] (original and renewal)
Class C license	\$540 [\$440] (original and renewal)
Class D license	\$400 (original and renewal)
Reinstate suspended license	\$150
Assignment of license	\$150
Change name of license	\$ 75
Delinquency fee	_____
Branch office certificate and renewal	\$300 [\$200]
Registration fee for private investigator, manager, branch office manager, locksmith, electronic access control device installer, and alarm systems installer	\$ 30 [\$ 20] (original and renewal)
Registration fee for noncommissioned security officer	\$ 30 [\$ 25] (original and renewal)
Registration fee for security salesperson	\$ 30 [\$ 20]
Registration fee for alarm systems monitor	\$ 30 [\$ 20]
Registration fee for dog trainer	\$ 30 [\$ 20]
Registration fee for owner, officer, partner, or shareholder of a license holder	\$ 50
Registration fee for security consultant	\$300 [\$ 55]
Registration fee for employee of license holder	\$ 30
Security officer commission fee	\$ 50 (original and renewal)
School instructor fee	\$100 (original and renewal)
School approval fee	\$350 [\$250] (original and renewal)
Letter of authority fee for private business and political subdivision	\$400 [\$300]
Letter of authority renewal fee for private business and political subdivision	\$225
Letter of authority fee for commissioned officer, noncommissioned officer, or personal protection officer for political subdivision	\$ 10
FBI fingerprint check	\$ 25
Duplicate pocket card	\$ 10
Employee information update fee	\$ 15
Burglar alarm sellers renewal fee	\$ 30 [\$ 25]
Personal protection officer authorization	\$ 50

SECTION 4. Section 1702.163(a), Occupations Code, is amended to read as follows:

(a) The board [commission] may not issue a security officer commission to an applicant employed by a license holder unless the applicant submits evidence satisfactory to the board [commission] that the applicant has:

- (1) completed the basic training course at a school or under an instructor approved by the board [commission];
- (2) met each qualification established by this chapter and board [commission] rule;
- (3) achieved the score required by the board [commission] on the examination under Section 1702.1685; and
- (4) demonstrated to the satisfaction of the firearm training instructor that the applicant has complied with other board [commission] standards for minimum marksmanship competency with a handgun [shotgun].

SECTION 5. Section 1702.182, Occupations Code, is amended to read as follows:

Sec. 1702.182. SECURITY DEPARTMENT OF PRIVATE BUSINESS.

(a) A security department acts as the security department of a private business if it:

- (1) has as its general purpose the protection and security of its own property and grounds; and
 - (2) does not offer or provide security services to another person.
- (b) For purposes of this subchapter, a hospital licensed under Chapter 241 or 577, Health and Safety Code, may provide security services to:
- (1) buildings, grounds, and tenants located on the hospital's property or campus, regardless of who owns the building; and
 - (2) a parent entity or member entity of the hospital or hospital corporation, or an affiliated entity or business with whom the hospital shares common ownership or control.

SECTION 6. Section 1702.282, Occupations Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) The board [commission] shall conduct a criminal history check, including a check of any criminal history record information maintained by the Federal Bureau of Investigation, in the manner provided by Subchapter F, Chapter 411, Government Code, on each applicant for a license, registration, security officer commission, letter of approval, permit, or certification. An applicant is not eligible for a license, registration, commission, letter of approval, permit, or certification if the check reveals that the applicant has committed an act that constitutes grounds for the denial of the license, registration, commission, letter of approval, permit, or certification. Except as provided by

(continued on page 12)

Texas Law

*Cont. from
P. 11*

Subsection (d), each [Each] applicant shall include in the application two complete sets of fingerprints on forms prescribed by the board [commission] accompanied by the fee set by the board [commission].

(d) An applicant who is a peace officer is not required to submit fingerprints with the applicant's application. On request, the law enforcement agency or other entity that employs the peace officer or the entity that maintains the peace officer's fingerprints shall provide the fingerprints for the peace officer to the board. The applicant shall provide sufficient information to the board to enable the board to obtain the fingerprints under this subsection.

SECTION 7. Section 46.05, Penal Code, is amended by amending Subsection (f) and adding Subsection (g) to read as follows:

(f) It is a defense to prosecution under this section for the possession of a chemical dispensing device that the actor is [holds] a security officer [commission issued by the Texas Commission on Private Security] and has received training on the use of the chemical dispensing device by a training program that is:

(1) provided by the Commission on Law Enforcement Officer Standards and Education; or

(2) approved for the purposes described by this subsection by the Texas [Commission on] Private Security Board of the Department of Public Safety.

(g) In Subsection (f), "security officer" means a commissioned security officer as defined by Section 1702.002, Occupations Code, or a noncommissioned security officer registered under Section 1702.221, Occupations Code.

SECTION 8. Section 1702.062(a), Occupations Code, as amended by Section 3 of this Act, takes effect only if the provision of the General Appropriations Act to increase appropriations to the Department of Public Safety of the State of Texas to increase the department's full time employee (FTE) count by 39 employees for implementation of Chapter 1702, Occupations Code, is enacted and becomes law. If that provision is not enacted, Section 1702.062(a), Occupations Code, as amended by Section 3 of this Act, is void and of no effect.

SECTION 9. This Act takes effect September 1, 2005.

Visit TLA's Website at www.texaslocksmiths.org



THE 2005 ALOA CONVENTION AND SECURITY EXPO

July 17-24 Donald E. Stevens Convention Center Rosemont, IL

ALOA 2005 is here! The convention will be held this year in the Chicago suburb of Rosemont at the Donald E. Stevens Convention Center. The Hyatt Regency O'Hare is the host hotel for the meeting.

The convention will feature classes on everything from high security automotive to safes, and just about any topic in between. Information on classes may be found by accessing the ALOA web site at <http://www.aloa.org>.

In addition to the classes, the security expo, held July 22-24 features exhibits by the leading manufacturers of equipment, supplies, services, and technology for the security industry. It's your chance to talk one-on-one with the experts in the industry and see all the new items to help make life easier and put cash in our pockets.

There is so much to see and do at the ALOA convention. In addition to education, there are social activities and the famous auction benefiting the ALOA scholarships. This is your chance to bid on some great items and go home with that special thing you've been looking for.



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