

## Volunteer Private Security for Houses of Worship

### Exemption from Private Security Requirements

Since September 1, 2017, individuals providing volunteer security services for churches may be exempt from Chapter 1702 of the Texas Occupations Code, which regulates private security. To be exempt from the security requirements of Chapter 1702, an individual providing private security must:

- 1) Be considered a volunteer; and
- 2) Avoid the appearance of being trained private security.

### Volunteer

Volunteer security services are those that are provided without compensation or remuneration. Churches should not give “thank you” gifts to those providing the security services. Such gifts could be interpreted as compensation or remuneration for the security services the person provides the church.

### Avoiding Appearance of Trained Private Security

To be exempt as a provider of volunteer security services the individual must not wear a uniform or badge that contains the word “security” or “gives the appearance of being a peace officer, personal protection officer, or security officer” while providing the services.

### Potential Liability for Churches

If an individual providing volunteer security services on behalf of a church is negligent in the course of his/her security duties, the church may be liable. When a church creates a security team, the church is implying, if not outright stating, that those serving on the team are fit to serve. For this reason, churches should be cautious when authorizing the security team to carry firearms. At a minimum, churches should require that anyone carrying a firearm on the security team be a license to carry (LTC) holder. Even still, it can be difficult for a church to know whether someone is fit to serve as private security. Because of the increase in church liability, any church considering authorizing church members to carry firearms as part of a role on a security team should contact the church’s insurance company.

### Alternatives to Private Security Exemption

Although individuals providing volunteer security for churches may be exempt from the requirements of Chapter 1702, there are alternatives to creating a security team of untrained church members:

- 1) Train the security team anyway.
- 2) Hire off-duty police officers to serve as security.
- 3) Do not allow the church security team to carry firearms.

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