

**Texas  
House of Representatives**

**ROBERT JUNELL**

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July 2, 2002

The Honorable John Cornyn  
Attorney General  
State of Texas  
P. O. Box 12548  
Austin, Texas 78711-2548

FILE # MK-42694-02  
I.D. # 42694

RQ-0573-JC

Dear General Cornyn:

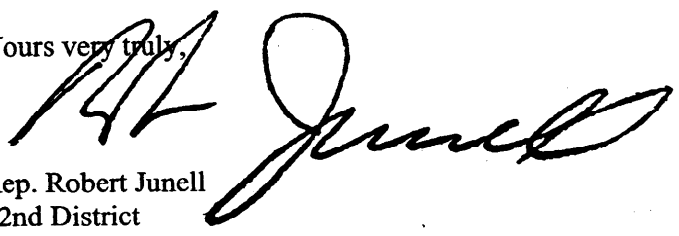
In response to inquiries I have received from a local funeral escort service and a local family operated funeral home, I would like to request an opinion regarding Rule Number 428.00 recently adopted by the Texas Commission on Private Security pursuant to Section 1702, Texas Occupations Code, as amended by the 77th Texas Legislature.

It is the Commission's belief that it has the authority to enact the rule and apply it to private escort service providers, under categories such as "Guard Company" (Sec.1702.108) and "Security Services Contractor" (Sec. 1702.115) and "Security Department" (Sec. 1702.323).

I am requesting an opinion as to whether or not the Commission has the statutory authority under Sec. 1702 *et. seq.* of the Texas Occupation Code to enact Rule 428.00 and regulate private funeral escort services?

Thank you in advance for your assistance.

Yours very truly,

  
Rep. Robert Junell  
72nd District

cc: Cliff Grumbles, Executive Director, Texas Commission on Private Security  
Jeff Harper, Johnsons Funeral Home  
Guy Choate, Webb, Stokes and Sparks

Enclosures

Chairman, Committee on Appropriations



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