

By: Capriglione

H.B. No. 2430

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to prohibiting sex offenders from residing or loitering  
3 within a certain distance of certain locations where children  
4 commonly gather and from participating in certain Halloween  
5 activities; creating a criminal offense.

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

7 SECTION 1. Article 62.053(a), Code of Criminal Procedure,  
8 is amended to read as follows:

9 (a) Before a person who will be subject to registration  
10 under this chapter is due to be released from a penal institution,  
11 the Texas Department of Criminal Justice or the Texas Juvenile  
12 Justice Department shall determine the person's level of risk to  
13 the community using the sex offender screening tool developed or  
14 selected under Article 62.007 and assign to the person a numeric  
15 risk level of one, two, or three. Before releasing the person, an  
16 official of the penal institution shall:

17 (1) inform the person that:

18 (A) not later than the later of the seventh day  
19 after the date on which the person is released or after the date on  
20 which the person moves from a previous residence to a new residence  
21 in this state or not later than the first date the applicable local  
22 law enforcement authority by policy allows the person to register  
23 or verify registration, the person must register or verify  
24 registration with the local law enforcement authority in the

1 municipality or county in which the person intends to reside;

2 (B) not later than the seventh day after the date  
3 on which the person is released or the date on which the person  
4 moves from a previous residence to a new residence in this state,  
5 the person must, if the person has not moved to an intended  
6 residence, report to the applicable entity or entities as required  
7 by Article 62.051(h) or (j) or 62.055(e);

8 (C) not later than the seventh day before the  
9 date on which the person moves to a new residence in this state or  
10 another state, the person must report in person to the local law  
11 enforcement authority designated as the person's primary  
12 registration authority by the department and to the juvenile  
13 probation officer, community supervision and corrections  
14 department officer, or parole officer supervising the person;

15 (D) not later than the 10th day after the date on  
16 which the person arrives in another state in which the person  
17 intends to reside, the person must register with the law  
18 enforcement agency that is identified by the department as the  
19 agency designated by that state to receive registration  
20 information, if the other state has a registration requirement for  
21 sex offenders;

22 (E) not later than the 30th day after the date on  
23 which the person is released, the person must apply to the  
24 department in person for the issuance of an original or renewal  
25 driver's license or personal identification certificate and a  
26 failure to apply to the department as required by this paragraph  
27 results in the automatic revocation of any driver's license or

1 personal identification certificate issued by the department to the  
2 person;

3 (F) the person must notify appropriate entities  
4 of any change in status as described by Article 62.057;

5 (G) certain types of employment are prohibited  
6 under Article 62.063 for a person with a reportable conviction or  
7 adjudication for a sexually violent offense involving a victim  
8 younger than 14 years of age and occurring on or after September 1,  
9 2013;

10 (H) certain locations of residence are  
11 prohibited under Article 62.064 for a person with a reportable  
12 conviction or adjudication for an offense occurring on or after  
13 September 1, 2017, except as otherwise provided by that article;  
14 [~~and~~]

15 (I) if the person enters the premises of a school  
16 as described by Article 62.065 and is subject to the requirements of  
17 that article, the person must immediately notify the administrative  
18 office of the school of the person's presence and the person's  
19 registration status under this chapter;

20 (J) the person may not reside within 2,000 feet  
21 of or loiter within 500 feet of certain locations as provided by  
22 Article 62.066; and

23 (K) the person may not engage in certain  
24 activities on Halloween as provided by Article 62.067;

25 (2) require the person to sign a written statement  
26 that the person was informed of the person's duties as described by  
27 Subdivision (1) or Subsection (g) or, if the person refuses to sign

1 the statement, certify that the person was so informed;

2 (3) obtain the address or, if applicable, a detailed  
3 description of each geographical location where the person expects  
4 to reside on the person's release and other registration  
5 information, including a photograph and complete set of  
6 fingerprints; and

7 (4) complete the registration form for the person.

8 SECTION 2. Article 62.058, Code of Criminal Procedure, is  
9 amended by adding Subsection (i) to read as follows:

10 (i) A local law enforcement authority that provides to a  
11 person a registration form for verification as required by this  
12 chapter shall include with the form a statement describing the  
13 prohibitions under Articles 62.066 and 62.067.

14 SECTION 3. Subchapter B, Chapter 62, Code of Criminal  
15 Procedure, is amended by adding Articles 62.066 and 62.067 to read  
16 as follows:

17 Art. 62.066. PROHIBITED LOCATIONS FOR RESIDENCE OR  
18 LOITERING. (a) This article applies to the following locations  
19 where children commonly gather:

20 (1) a school as defined by Section 481.134, Health and  
21 Safety Code;

22 (2) a playground as defined by Section 481.134, Health  
23 and Safety Code;

24 (3) a youth center as defined by Section 481.134,  
25 Health and Safety Code;

26 (4) a public swimming pool or child water play area;

27 (5) a video arcade facility as defined by Section

1 481.134, Health and Safety Code;

2 (6) a movie theatre;

3 (7) a public or private park;

4 (8) a public or private recreational facility;

5 (9) a library;

6 (10) an athletic field;

7 (11) a jogging or hiking trail;

8 (12) a bicycle trail; and

9 (13) an equestrian trail.

10 (b) A person subject to registration under this chapter  
11 based on a reportable conviction or adjudication for an offense  
12 occurring on or after September 1, 2025, may not reside within 2,000  
13 feet of a location to which this article applies.

14 (c) A person subject to registration under this chapter may  
15 not knowingly remain in essentially one location for more than 10  
16 minutes for no apparent lawful purpose if that location is within  
17 500 feet of a location to which this article applies.

18 (d) A person commits an offense if the person violates this  
19 article. An offense under this subsection is a Class B misdemeanor,  
20 except that the offense is a Class A misdemeanor if it is shown on  
21 the trial of the offense that the defendant has been previously  
22 convicted of an offense under this article.

23 Art. 62.067. LIMITATION ON PARTICIPATION IN CERTAIN  
24 HALLOWEEN ACTIVITIES. (a) A person subject to registration under  
25 this chapter may not, on the date on which Halloween is observed:

26 (1) leave on any exterior lights at the person's  
27 residence during the period beginning at 5 p.m. and ending at 11:59

1 p.m.; or

2 (2) hand out or offer any type of Halloween treat,  
3 candy, or other edible product to children.

4 (b) A person commits an offense if the person violates this  
5 article. An offense under this subsection is a Class B misdemeanor,  
6 except that the offense is a Class A misdemeanor if it is shown on  
7 the trial of the offense that the defendant has been previously  
8 convicted of an offense under this article.

9 SECTION 4. (a) Except as provided by Subsection (b) of this  
10 section, the changes in law made by this Act to Chapter 62, Code of  
11 Criminal Procedure, apply to a person who is subject to  
12 registration under Chapter 62, Code of Criminal Procedure, on or  
13 after the effective date of this Act, regardless of whether the  
14 applicable offense or conduct occurs before, on, or after the  
15 effective date of this Act.

16 (b) Article 62.066(b), Code of Criminal Procedure, as added  
17 by this Act, applies only to a person subject to registration under  
18 this chapter based on a reportable conviction or adjudication for  
19 an offense committed on or after the effective date of this Act.  
20 For purposes of this subsection, an offense was committed before  
21 the effective date of this Act if any element of the offense  
22 occurred before that date.

23 SECTION 5. This Act takes effect September 1, 2025.