

Amend SB 1054 (house committee report) as follows:

(1) In SECTION 6 of the bill (page 4, line 3), strike "The" and substitute "Except as provided by Section _____ of this Act, the".

(2) Add the following appropriately numbered SECTIONS to the bill and renumber existing SECTIONS of the bill accordingly:

SECTION _____. Subsection (a), Section 13B, Article 42.12, Code of Criminal Procedure, is amended to read as follows:

(a) If a judge grants community supervision to a defendant described by Subsection (b) and the judge determines that a child as defined by Section 22.011(c), Penal Code, was the victim of the offense, the judge shall establish a child safety zone applicable to the defendant by requiring as a condition of community supervision that the defendant:

(1) not:

(A) supervise or participate in any program that includes as participants or recipients persons who are 17 years of age or younger and that regularly provides athletic, civic, or cultural activities; or

(B) go in, on, or within 1,000 feet [~~a distance specified by the judge~~] of a premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, or video arcade facility; and

(2) attend psychological counseling sessions for sex offenders with an individual or organization which provides sex offender treatment or counseling as specified by or approved by the judge or the community supervision and corrections department officer supervising the defendant.

SECTION _____. Section 13B, Article 42.12, Code of Criminal Procedure, is amended by adding Subsection (i) to read as follows:

(i) Notwithstanding Subsection (a)(1)(B), a requirement that a defendant not go in, on, or within 1,000 feet of certain premises does not apply to a defendant while the defendant is in or going immediately to or from a:

(1) community supervision and corrections department office;

(2) premises at which the defendant is participating in a program or activity required as a condition of community supervision;

(3) residential facility in which the defendant is required to reside as a condition of community supervision, if the facility was in operation as a residence for defendants on community supervision on June 1, 2003; or

(4) private residence at which the defendant is required to reside as a condition of community supervision.

SECTION _____. (a) Except as provided by Subsection (b) of this section, the change in law made by this Act in amending Section 13B, Article 42.12, Code of Criminal Procedure, applies only to a person placed on community supervision on or after the effective date of this Act.

(b) On or after the effective date of this Act, a court may modify a condition of community supervision to require that a person who before that date was placed on community supervision maintain a distance of 1,000 feet from a premises where children commonly gather.