

BILL ANALYSIS

C.S.H.B. 477
By: Farrar
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, if the parole panel determines that a child under 17 years of age was the victim of a sex crime, the parole panel must establish a child safety zone as a condition of parole or mandatory supervision for the sex offender that committed the crime. If the defendant is under community supervision, the distance of the child safety zone is specified by a judge. C.S.H.B. 477 requires that a sex offender released on community supervision, parole, or mandatory supervision be prohibited from going within 1,000 feet of premises where children commonly gather.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSHB 477 amends the Government Code and the Code of Criminal Procedure to require sex offenders released on community supervision, mandatory supervision, or parole to maintain a distance of at least 1,000 feet from premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, or video arcade facility.

CSHB 477 amends Section 508.187, Government Code, and Section 13B, Article 42.12, Code of Criminal Procedure, to allow exceptions for the releasee to be in or going immediately to or from a parole office, a community supervision and corrections department office, premises at which the person is participating in a program or activity required as a condition of release or permitted or not prohibited as a condition of release, a halfway house or community residential facility, or a private residence in which the releasee is required to reside as a condition of release.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original by adding exceptions to allow a releasee or defendant to be in or going immediately to or from a parole office, a community supervision and corrections department office, premises at which the person is participating in a program or activity required as a condition of release or permitted or not prohibited as a condition of release, a halfway house or community residential facility, or a private residence in which the releasee is required to reside as a condition of release.

