

By: Allen

H.B. No. 244

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the publication of information regarding certain
3 registered sex offenders.

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

5 SECTION 1. Article 62.03(e), Code of Criminal Procedure, is
6 amended to read as follows:

7 (e) Not later than the eighth day after receiving a
8 registration form under Subsection (b), (c), or (d), the local law
9 enforcement authority shall verify the age of the victim, the age of
10 the person subject to registration, the basis on which the person is
11 subject to registration under this chapter, and the person's
12 numeric risk level. If [~~the victim is a child younger than 17 years~~
13 ~~of age and~~] the basis on which the person is subject to registration
14 is not an adjudication of delinquent conduct and is not a conviction
15 or a deferred adjudication for an offense under Section 25.02,
16 Penal Code, the authority shall immediately publish notice in
17 English and Spanish in the newspaper of greatest paid circulation
18 in the county in which the person subject to registration intends to
19 reside or, if there is no newspaper of paid circulation in that
20 county, in the newspaper of greatest general circulation in the
21 county. The authority shall publish a duplicate notice in the
22 newspaper, with any necessary corrections, during the week
23 immediately following the week of initial publication. If the
24 victim is a child younger than 17 years of age or the person subject

1 to registration is 17 years of age or older and a student enrolled
2 in a public or private secondary school, regardless of the basis on
3 which the person is subject to registration, the authority shall
4 immediately provide notice to the superintendent of the public
5 school district and to the administrator of any private primary or
6 secondary school located in the public school district in which the
7 person subject to registration intends to reside by mail to the
8 office of the superintendent or administrator, as appropriate. On
9 receipt of a notice under this subsection, the superintendent shall
10 release the information contained in the notice to appropriate
11 school district personnel, including peace officers and security
12 personnel, principals, nurses, and counselors.

13 SECTION 2. Article 62.04(f), Code of Criminal Procedure, is
14 amended to read as follows:

15 (f) If the person moves to another municipality or county in
16 this state, the department shall inform the applicable local law
17 enforcement authority in the new area of the person's residence not
18 later than the third day after the date on which the department
19 receives information under Subsection (a). Not later than the
20 eighth day after the date on which the local law enforcement
21 authority is informed under Subsection (a) or under this
22 subsection, the authority shall verify the age of the victim, the
23 age of the person subject to registration, the basis on which the
24 person is subject to registration under this chapter, and the
25 person's numeric risk level. If [~~the victim is a child younger than~~
26 ~~17 years of age,~~] the basis on which the person is subject to
27 registration is not an adjudication of delinquent conduct and is

1 not a conviction or a deferred adjudication for an offense under
2 Section 25.02, Penal Code, and the person is not assigned a numeric
3 risk level of one, the authority shall immediately publish notice
4 in English and Spanish in the newspaper of greatest paid
5 circulation in the county in which the person subject to
6 registration intends to reside or, if there is no newspaper of paid
7 circulation in that county, in the newspaper of greatest general
8 circulation in the county. The local law enforcement authority
9 shall publish a duplicate notice in the newspaper, with any
10 necessary corrections, during the week immediately following the
11 week of initial publication. If the victim is a child younger than
12 17 years of age or the person subject to registration is 17 years of
13 age or older and a student enrolled in a public or private secondary
14 school, regardless of the basis on which the person is subject to
15 registration or the person's numeric risk level, the authority
16 shall immediately provide notice to the superintendent of the
17 public school district and to the administrator of any private
18 primary or secondary school located in the public school district
19 in which the person subject to registration intends to reside by
20 mail to the office of the superintendent or administrator, as
21 appropriate. On receipt of a notice under this subsection, the
22 superintendent shall release the information contained in the
23 notice to appropriate school district personnel, including peace
24 officers and security personnel, principals, nurses, and
25 counselors.

26 SECTION 3. This Act takes effect September 1, 2003.