

By: Grusendorf

H.B. No. 2219

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the requirements, administration, and enforcement of
3 sex offender registration.

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

5 SECTION 1. Article 62.0101(a), Code of Criminal Procedure,
6 is amended to read as follows:

7 (a) The department is responsible for determining for the
8 purposes of this chapter whether an offense under the laws of
9 another state, the prior laws of this state, federal law, or the
10 Uniform Code of Military Justice contains elements that are
11 substantially similar to the elements of an offense under the laws
12 of this state.

13 SECTION 2. Article 62.03(c), Code of Criminal Procedure, is
14 amended to read as follows:

15 (c) If a person who is subject to registration under this
16 chapter receives an order deferring adjudication, placing the
17 person on juvenile probation or community supervision, or imposing
18 only a fine, the court pronouncing the order or sentence shall make
19 a determination of the person's [~~numeric~~] risk level using the sex
20 offender screening tool developed or selected under Article 62.035,
21 assign to the person a [~~numeric~~] risk level of low, moderate [~~one,~~
22 ~~two~~], or high [~~three~~], and ensure that the prerelease notification
23 and registration requirements specified in this article are
24 conducted on the day of entering the order or sentencing. If a

1 community supervision and corrections department representative is
2 available in court at the time a court pronounces a sentence of
3 deferred adjudication or community supervision, the representative
4 shall immediately obtain the person's [~~numeric~~] risk level from the
5 court and conduct the prerelease notification and registration
6 requirements specified in this article. In any other case in which
7 the court pronounces a sentence under this subsection, the court
8 shall designate another appropriate individual to obtain the
9 person's [~~numeric~~] risk level from the court and conduct the
10 prerelease notification and registration requirements specified in
11 this article.

12 SECTION 3. Article 62.05(b), Code of Criminal Procedure, is
13 amended to read as follows:

14 (b) A person subject to registration under this chapter
15 shall report to the local law enforcement authority any change in
16 the person's physical health or job status or name, gender, vehicle
17 information, or appearance not later than the seventh day after the
18 date of the change. For purposes of this subsection, a person's job
19 status changes if the person leaves employment for any reason,
20 remains employed by an employer but changes the location at which
21 the person works, or begins employment with a new employer. For
22 purposes of this subsection, a person's health status changes if
23 the person is hospitalized as a result of an illness.

24 SECTION 4. Chapter 13, Code of Criminal Procedure, is
25 amended by adding Article 13.28 to read as follows:

26 Art. 13.28. SEX OFFENDER REGISTRATION OFFENSES. An offense
27 committed in violation of the sex offender registration

1 requirements of Chapter 62 may be prosecuted in the county in which
2 the person subject to registration under that chapter is
3 apprehended, in any county in which an element of the offense
4 occurs, or in the county that that person has proposed as an
5 intended residence.

6 SECTION 5. Article 62.061(c), Code of Criminal Procedure,
7 as added by Chapters 1193 and 1415, Acts of the 76th Legislature,
8 Regular Session, 1999, is repealed.

9 SECTION 6. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2003.