

Amend **HB 867** on third reading on page 53, between lines 9 and 10, by inserting the following:

Sec. 62.062. CERTAIN PERSONS PROHIBITED FROM RESIDING NEAR SCHOOL. (a) This section applies only to a person who is:

(1) required to register as a sex offender under Chapter 62, Code of Criminal Procedure, because of a reportable conviction or adjudication involving a victim younger than 14 years of age; or

(2) civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and subject to outpatient treatment and supervision under that chapter.

(b) A person to whom this section applies may not reside within 1,000 feet of a public or private school campus, as measured in a straight line from the nearest property line of the residence to the nearest property line of the campus.

(c) A person to whom this section applies who resides within 1,000 feet of a school campus may remain at the person's residence if:

(1) the person resided at the residence on September 1, 2005; or

(2) the person is residing at the residence at the time that the campus is established or extended to within 1,000 feet of the residence.

(d) For each person described by Subsection (c) who remains at the residence, the state, county, or local law enforcement agency with the primary responsibility of registering or supervising the person shall provide written notice, including the person's address and a recent photograph of the person, to the appropriate public or private school campus not later than the first day of instruction each school year.

(e) A person to whom this section applies commits an offense if the person violates this section. The punishment for an offense under this subsection is a felony of the third degree and is considered to be a conviction of an offense under Article 62.102, Code of Criminal Procedure, for purposes of enhancement under Subsection (c) of that article.