

By: Leibowitz

H.B. No. 977

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the proximity of the residences of certain sex
3 offenders or sexually violent predators to public schools.

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

5 SECTION 1. Subchapter A, Chapter 38, Education Code, is
6 amended by adding Section 38.024 to read as follows:

7 Sec. 38.024. CERTAIN PERSONS PROHIBITED FROM RESIDING NEAR
8 SCHOOL. (a) This section applies only to a person who is:

9 (1) required to register as a sex offender under
10 Chapter 62, Code of Criminal Procedure, because of a reportable
11 conviction or adjudication involving a victim younger than 17 years
12 of age; or

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

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

20 (c) A person to whom this section applies who resides within
21 1,000 feet of a school campus may remain at the person's residence
22 if:

23 (1) the person resided at the residence on September
24 1, 2005; or

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

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

11 SECTION 2. This Act takes effect September 1, 2005.