

By: Raymond

H.B. No. 1838

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain requirements imposed on a sex offender who
3 enters the premises of a public park.

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

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

7 (a) Before a person who will be subject to registration
8 under this chapter is due to be released from a penal institution,
9 the Texas Department of Criminal Justice or the Texas Youth
10 Commission shall determine the person's level of risk to the
11 community using the sex offender screening tool developed or
12 selected under Article 62.035 and assign to the person a numeric
13 risk level of one, two, or three. Before releasing the person, an
14 official of the penal institution shall:

15 (1) inform the person that:

16 (A) not later than the seventh day after the date
17 on which the person is released or the date on which the person
18 moves from a previous residence to a new residence in this state,
19 the person must:

20 (i) register or verify registration with
21 the local law enforcement authority in the municipality or county
22 in which the person intends to reside; or

23 (ii) if the person has not moved to an
24 intended residence, report to the juvenile probation officer,

1 community supervision and corrections department officer, or
2 parole officer supervising the person;

3 (B) not later than the seventh day before the
4 date on which the person moves to a new residence in this state or
5 another state, the person must report in person to the local law
6 enforcement authority designated as the person's primary
7 registration authority by the department and to the juvenile
8 probation officer, community supervision and corrections
9 department officer, or parole officer supervising the person;

10 (C) not later than the 10th day after the date on
11 which the person arrives in another state in which the person
12 intends to reside, the person must register with the law
13 enforcement agency that is identified by the department as the
14 agency designated by that state to receive registration
15 information, if the other state has a registration requirement for
16 sex offenders;

17 (D) not later than the 30th day after the date on
18 which the person is released, the person must apply to the
19 department in person for the issuance of an original or renewal
20 driver's license or personal identification certificate and a
21 failure to apply to the department as required by this paragraph
22 results in the automatic revocation of any driver's license or
23 personal identification certificate issued by the department to the
24 person; ~~and~~

25 (E) the person must notify appropriate entities
26 of any change in status as described by Article 62.05; and

27 (F) if the person enters the premises of a public

1 park as described by Article 62.0452, the person must immediately
2 notify a law enforcement agency with jurisdiction over the public
3 park of the person's presence and the person's registration status
4 under this chapter;

5 (2) require the person to sign a written statement
6 that the person was informed of the person's duties as described by
7 Subdivision (1) or Subsection (h) or, if the person refuses to sign
8 the statement, certify that the person was so informed;

9 (3) obtain the address where the person expects to
10 reside on the person's release and other registration information,
11 including a photograph and complete set of fingerprints; and

12 (4) complete the registration form for the person.

13 SECTION 2. Chapter 62, Code of Criminal Procedure, is
14 amended by adding Article 62.0452 to read as follows:

15 Art. 62.0452. ENTRY ONTO PARK PREMISES; NOTICE REQUIRED.

16 (a) In this section, "public park" means an outdoor recreation area
17 controlled by this state or a political subdivision of this state.

18 (b) A person subject to registration under this chapter who
19 enters the premises of any public park in this state shall
20 immediately notify a law enforcement agency with jurisdiction over
21 the public park of the person's presence and the person's
22 registration status under this chapter. The agency may provide a
23 chaperon to accompany the person while the person is on the premises
24 of the public park.

25 (c) The requirements of this article are in addition to the
26 requirements associated with any imposition of a child safety zone
27 on the person under Section 508.187, Government Code, and Section

1 13B, Article 42.12.

2 SECTION 3. Article 62.06, Code of Criminal Procedure, is
3 amended by adding Subsection (f) to read as follows:

4 (f) A local law enforcement authority who provides a person
5 with a registration form for verification as required by this
6 chapter shall include with the form a statement and description of
7 the person's registration duties under Article 62.0452.

8 SECTION 4. The change in law made by this Act applies to a
9 person subject to registration under Chapter 62, Code of Criminal
10 Procedure, for an offense or conduct that was committed before, on,
11 or after the effective date of this Act.

12 SECTION 5. This Act takes effect September 1, 2005.