

## **BILL ANALYSIS**

C.S.H.B. 958  
By: Bonnen  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under the current provisions of the Texas Government Code and the Code of Criminal Procedure, sex offenders are required to observe child safety zones as set forth by the court or their conditions of release when they are under parole supervision. However, sex offenders whose probation and/or parole has terminated are not required to observe these zones, including school campuses. This poses a safety issue for our children. Given that some registered sex offenders are parents/guardians, it is important to allow them appropriate access to their children's school without compromising the safety of the children. This bill would require sex offenders entering school premises during standard operating hours to provide notification of their registration status and allow the school to provide a chaperon to accompany them.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

The bill provides that before a person who will be subject to registration under Chapter 62, Code of Criminal Procedure (Sex Offender Registration Program) is due to be released from a penal institution, an official of the penal institution shall inform the person that if the person enters the premises of a school (as defined by Section 481.134, Health and Safety Code), and is subject to the requirements of Article 62.064 (as added by this bill), the person must immediately notify the administrative office of the school of the person's presence on the premises of the school and the person's registration status under Chapter 62.

The bill further provides that a local law enforcement authority who provides a person with a registration form for verification as required by Chapter 62, Code of Criminal Procedure (Sex Offender Registration Program) shall include with the form a statement and description of the person's duty to provide notice under Article 62.064 (as added by this bill).

The bill amends Chapter 62, Code of Criminal Procedure, by adding Article 62.064 to require that a person subject to registration under this Chapter 62 who enters the premises of any school in this state shall immediately notify the administrative office of the school of the person's presence on the premises of the school and the person's registration status under Chapter 62. The office may provide a chaperon to accompany the person while the person is on the premises of the school. The bill further provides that the requirements of this article are in addition to any requirement associated with the imposition of a child safety zone on the person under Section 508.187, Government Code, or Section 13B, Article 42.12, Code of Criminal Procedure.

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

### **EFFECTIVE DATE**

September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

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The substitute adds a provision that the requirements of the Article 62.064 (as added by the bill) only apply during the school's standard operating hours and do not apply to a student who is enrolled at the school or a student from another school participating at an event at the school.