

By: Raymond

H.B. No. 165

A BILL TO BE ENTITLED

AN ACT

1
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 62.053(a), Code of Criminal Procedure,
6 is 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 62.007 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 later of the seventh day
17 after the date on which the person is released or after the date on
18 which the person moves from a previous residence to a new residence
19 in this state or not later than the later of the first date the
20 applicable local law enforcement authority by policy allows the
21 person to register or verify registration, the person must register
22 or verify registration with the local law enforcement authority in
23 the municipality or county in which the person intends to reside;

24 (B) not later than the seventh day after the date

1 on which the person is released or the date on which the person
2 moves from a previous residence to a new residence in this state,
3 the person must, if the person has not moved to an intended
4 residence, report to the juvenile probation officer, community
5 supervision and corrections department officer, or parole officer
6 supervising the person;

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

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

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

1 person; [~~and~~]

2 (F) the person must notify appropriate entities
3 of any change in status as described by Article 62.057; and

4 (G) if the person enters the premises of a public
5 park as described by Article 62.064, the person must immediately
6 notify a law enforcement agency with jurisdiction over the public
7 park of the person's presence and the person's registration status
8 under this chapter;

9 (2) require the person to sign a written statement
10 that the person was informed of the person's duties as described by
11 Subdivision (1) or Subsection (g) or, if the person refuses to sign
12 the statement, certify that the person was so informed;

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

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

17 SECTION 2. Article 62.058, Code of Criminal Procedure, is
18 amended by adding Subsection (f) to read as follows:

19 (f) A local law enforcement authority who provides a person
20 with a registration form for verification as required by this
21 chapter shall include with the form a statement and description of
22 the person's registration duties under Article 62.064.

23 SECTION 3. Chapter 62, Code of Criminal Procedure, is
24 amended by adding Article 62.064 to read as follows:

25 Art. 62.064. ENTRY ONTO PARK PREMISES; NOTICE REQUIRED.

26 (a) In this article, "public park" means an outdoor recreation area
27 controlled by this state or a political subdivision of this state.

1 (b) A person required to register under this chapter who
2 enters the premises of any public park in this state shall
3 immediately notify a law enforcement agency with jurisdiction over
4 the public park of the person's presence on the premises and the
5 person's registration status under this chapter. The agency may
6 provide a chaperon to accompany the person while the person is on
7 the premises of the public park.

8 (c) The requirements of this article are in addition to any
9 requirements associated with the imposition of a child safety zone
10 on the person under Section 508.187, Government Code, and Section
11 13B, Article 42.12.

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

16 SECTION 5. This Act takes effect September 1, 2007.