

By: Walle

H.B. No. 3627

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to certain registration requirements imposed on certain  
3 sex offenders.

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

5 SECTION 1. Article 62.051, Code of Criminal Procedure, is  
6 amended by amending Subsections (c) and (f) and adding Subsection  
7 (j) to read as follows:

8 (c) The registration form shall require:

9 (1) the person's full name, including each alias, the  
10 person's date of birth, sex, race, height, weight, eye color, hair  
11 color, social security number, driver's license number, and shoe  
12 size, and the [home] address at which the person resides or intends  
13 to reside or, if the person does not reside or intend to reside at a  
14 physical address, a detailed description of the geographical  
15 location at which the person resides or intends to reside;

16 (2) a recent color photograph or, if possible, an  
17 electronic digital image of the person and a complete set of the  
18 person's fingerprints;

19 (3) the type of offense the person was convicted of,  
20 the age of the victim, the date of conviction, and the punishment  
21 received;

22 (4) an indication as to whether the person is  
23 discharged, paroled, or released on juvenile probation, community  
24 supervision, or mandatory supervision;

1 (5) an indication of each license, as defined by  
2 Article 62.005(g), that is held or sought by the person;

3 (6) an indication as to whether the person is or will  
4 be employed, carrying on a vocation, or a student at a particular  
5 public or private institution of higher education in this state or  
6 another state, and the name and address of that institution; and

7 (7) any other information required by the department.

8 (f) Not later than the seventh day after the date on which  
9 the person is released, a [A] person for whom registration is  
10 completed under this chapter shall report to the applicable local  
11 law enforcement authority to verify the information in the  
12 registration form received by the authority under this chapter. The  
13 authority shall require the person to produce proof of the person's  
14 identity and residence before the authority gives the registration  
15 form to the person for verification. If the information in the  
16 registration form is complete and accurate, the person shall verify  
17 registration by signing the form. If the information is not  
18 complete or not accurate, the person shall make any necessary  
19 additions or corrections before signing the form.

20 (j) If a person subject to registration under this chapter  
21 is released from a penal institution without being released to  
22 parole or placed on any other form of supervision and does not move  
23 to the residence indicated on the registration form as the person's  
24 intended residence, the person shall, not later than the seventh  
25 day after the date on which the person is released:

26 (1) report in person or by telephone to the applicable  
27 local law enforcement authority for the person's intended residence

1 and provide the authority with the address of the person's  
2 temporary residence or, if applicable, a detailed description of  
3 the geographical location of the person's temporary residence; and  
4         (2) unless the person has otherwise complied with the  
5 requirements of Article 62.055, continue to report, in the manner  
6 required by Subdivision (1), to that authority not less than weekly  
7 during any period in which the person has not moved to the intended  
8 residence and provide the authority with the address of the  
9 person's temporary residence or, if applicable, a detailed  
10 description of the geographical location of the person's temporary  
11 residence.

12         SECTION 2. Article 62.053(a), Code of Criminal Procedure,  
13 is amended to read as follows:

14         (a) Before a person who will be subject to registration  
15 under this chapter is due to be released from a penal institution,  
16 the Texas Department of Criminal Justice or the Texas Youth  
17 Commission shall determine the person's level of risk to the  
18 community using the sex offender screening tool developed or  
19 selected under Article 62.007 and assign to the person a numeric  
20 risk level of one, two, or three. Before releasing the person, an  
21 official of the penal institution shall:

22                 (1) inform the person that:

23                         (A) not later than the later of the seventh day  
24 after the date on which the person is released or after the date on  
25 which the person moves from a previous residence to a new residence  
26 in this state or not later than [~~the later of~~] the first date the  
27 applicable local law enforcement authority by policy allows the

1 person to register or verify registration, the person  
2 must register or verify registration with the local law  
3 enforcement authority in the municipality or county in which the  
4 person intends to reside;

5 (B) not later than the seventh day after the date  
6 on which the person is released or the date on which the person  
7 moves from a previous residence to a new residence in this state,  
8 the person must, if the person has not moved to an intended  
9 residence, report to the applicable entities as required by Article  
10 62.051(h) or (j) or 62.055(e) [~~juvenile probation officer,~~  
11 ~~community supervision and corrections department officer, or~~  
12 ~~parole officer supervising the person~~];

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

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

27 (E) not later than the 30th day after the date on

1 which the person is released, the person must apply to the  
2 department in person for the issuance of an original or renewal  
3 driver's license or personal identification certificate and a  
4 failure to apply to the department as required by this paragraph  
5 results in the automatic revocation of any driver's license or  
6 personal identification certificate issued by the department to the  
7 person; and

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

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

14 (3) obtain the address or, if applicable, a detailed  
15 description of the geographical location where the person expects  
16 to reside on the person's release and other registration  
17 information, including a photograph and complete set of  
18 fingerprints; and

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

20 SECTION 3. The heading to Article 62.055, Code of Criminal  
21 Procedure, is amended to read as follows:

22 Art. 62.055. CHANGE OF ADDRESS; LACK OF ADDRESS.

23 SECTION 4. Article 62.055, Code of Criminal Procedure, is  
24 amended by adding Subsection (i) to read as follows:

25 (i) If a person required to register under this chapter  
26 establishes residency at a location to which a physical address has  
27 not been assigned by a governmental entity, the person, not less

1 than once in each seven-day period, shall confirm the person's  
2 residency by:

3 (1) reporting to the local law enforcement authority  
4 in the municipality where the person resides or, if the person does  
5 not reside in a municipality, the local law enforcement authority  
6 in the county in which the person resides; and

7 (2) providing a detailed description of the  
8 geographical location of the residence.

9 SECTION 5. The changes in law made by this Act in amending  
10 Chapter 62, Code of Criminal Procedure, apply to any person who, on  
11 or after the effective date of this Act, is required to register  
12 under that chapter, regardless of whether the offense or conduct  
13 for which the person is required to register occurs before, on, or  
14 after the effective date of this Act.

15 SECTION 6. This Act takes effect September 1, 2009.