

By: Riddle

H.B. No. 3683

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of the Department of Public Safety to  
3 prohibit sex offenders from participating in certain holiday  
4 activities.

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

6 SECTION 1. Chapter 62, Code of Criminal Procedure, is  
7 amended by adding Article 62.065 to read as follows:

8 Art. 62.065. LIMITATIONS ON PARTICIPATION IN CERTAIN  
9 HALLOWEEN ACTIVITIES. (a) The public safety director of the  
10 department by rule may require, on October 31 of each year, each  
11 individual who on that date is required to register under this  
12 chapter to:

13 (1) refrain from placing Halloween decorations on the  
14 exterior of the individual's residence;

15 (2) leave all exterior residential lighting off from 5  
16 p.m. until 12 a.m.; and

17 (3) post, in a place and manner prescribed by the  
18 director, a sign that indicates the individual's intention to avoid  
19 participation in Halloween activities.

20 (b) The public safety director of the department may  
21 prescribe requirements concerning the content and placement of a  
22 sign described by Subsection (a)(3).

23 (c) Not later than October 1 of the applicable year, the  
24 department shall notify in person or by mail each individual

1 described by Subsection (a) of any requirements or restrictions  
2 imposed by a rule adopted under that subsection. An individual who  
3 does not receive the notice required by this subsection is not  
4 subject to a rule adopted under Subsection (a).

5         SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2009.