

1-1 By: Williams S.B. No. 2048
1-2 (In the Senate - Filed March 12, 2009; March 31, 2009, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 28, 2009, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; April 28, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the establishment of a centralized sex offender
1-9 registration authority in certain counties in this state.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Article 62.001, Code of Criminal Procedure, is
1-12 amended by amending Subdivision (2) and adding Subdivision (11) to
1-13 read as follows:

1-14 (2) "Local law enforcement authority" means, as
1-15 applicable, the chief of police of a municipality, ~~or~~ the sheriff
1-16 of a county in this state, or a centralized registration authority.

1-17 (11) "Centralized registration authority" means a
1-18 mandatory countywide registration location designated under
1-19 Article 62.0045.

1-20 SECTION 2. Article 62.004, Code of Criminal Procedure, is
1-21 amended by amending Subsection (a) and adding Subsection (a-1) to
1-22 read as follows:

1-23 (a) Except as provided by Subsection (a-1), for ~~For~~ each
1-24 person subject to registration under this chapter, the department
1-25 shall determine which local law enforcement authority serves as the
1-26 person's primary registration authority based on the municipality
1-27 or county in which the person resides or, as provided by Article
1-28 62.152, the municipality or county in which the person works or
1-29 attends school.

1-30 (a-1) Notwithstanding any other provision of this chapter,
1-31 if a person resides or, as described by Article 62.152, works or
1-32 attends school in a county with a centralized registration
1-33 authority, the centralized registration authority serves as the
1-34 person's primary registration authority under this chapter,
1-35 regardless of whether the person resides, works, or attends school,
1-36 as applicable, in any municipality located in that county.

1-37 SECTION 3. Subchapter A, Chapter 62, Code of Criminal
1-38 Procedure, is amended by adding Article 62.0045 to read as follows:

1-39 Art. 62.0045. CENTRALIZED REGISTRATION AUTHORITY.

1-40 (a) The commissioners court in a county with a population of
1-41 100,000 or more may designate the office of the sheriff of the
1-42 county or may, through interlocal agreement, designate the office
1-43 of a chief of police of a municipality in that county to serve as a
1-44 mandatory countywide registration location for persons subject to
1-45 this chapter.

1-46 (b) Notwithstanding any other provision of this chapter, a
1-47 person who is subject to this chapter shall register under Article
1-48 62.051 or verify registration under Article 62.058 only with the
1-49 centralized registration authority for the county, regardless of
1-50 whether the person resides in any municipality located in that
1-51 county. If the person resides in a municipality, and the local law
1-52 enforcement authority in the municipality does not serve as the
1-53 person's centralized registration authority, the centralized
1-54 registration authority, not later than the third day after the date
1-55 the person registers or verifies registration with that authority,
1-56 shall provide to the local law enforcement authority in that
1-57 municipality notice of the person's registration or verification of
1-58 registration, as applicable, with the centralized registration
1-59 authority.

1-60 SECTION 4. This Act takes effect immediately if it receives
1-61 a vote of two-thirds of all the members elected to each house, as
1-62 provided by Section 39, Article III, Texas Constitution. If this
1-63 Act does not receive the vote necessary for immediate effect, this
1-64 Act takes effect September 1, 2009.

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