

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 26, 2009

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1542 by Patrick (Relating to notice concerning the residency of sex offenders in certain health care facilities.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure as it relates to the notice concerning the residency of sex offenders in certain health care facilities.

The bill would amend Article 62.053(a), Code of Criminal Procedure, to require persons subject to registration under this chapter, who reside in or intend to reside in a facility licensed under Chapter 242, 247, or 252, Health and Safety Code, to notify the facility of their registration status.

The bill would also amend Chapter 62, Code of Criminal Procedure, to add Article 62.063, Assisted Living Facilities and Certain Other Health Care Facilities; Notice, which would require persons subject to registration under this chapter, who reside in or intend to reside in a facility licensed under Chapter 242, 247, or 252, Health and Safety Code, to notify the facility in writing of their registration status. Under the provision of the bill, a facility that receives notice shall promptly notify in writing each other resident of the facility and each legal guardian or legal representative of another resident regarding the registration status of the person providing notice. Facilities would be prohibited from releasing any information that is not public information under this chapter.

The provisions of the bill would apply to a person required to register as a sex offender under Chapter 62, Code of Criminal Procedure, under the laws of another state, under federal law, or under the Uniform Code of Military Justice, regardless of whether the person is initially required to register, before, on, or after the effective date of this bill.

The bill would take effect September 1, 2009.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 539 Aging and Disability Services, Department of
LBB Staff: JOB, ESi, SJ, LR