

BILL ANALYSIS

S.B. 369
By: Whitmire
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law requires the Texas sex offender registry to include in the public database the name and address of the employer of an individual who is mandated to register under Article 62.005(b) of the Code of Criminal Procedure. S.B. 369 amends that article to remove the requirement and to move the name and address of the employer to the nonpublic database utilized by law enforcement.

Employment and housing are key elements to successful reentry for any former offender. Employers are less likely to hire individuals who are required to register if they know that their business will be publicized on the registry. An employer who does participate in a second chance hiring may find themselves subject to harassment due to the listing of their company's name and address on the public registry.

As proposed, S.B. 369 amends current law relating to certain information available to the public on a central database containing information about sex offenders.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Article 62.005(b), Code of Criminal Procedure, to provide that the information contained in the central sex offender database, including the numeric risk level assigned to a person under this chapter, is public information, with the exception of any information that is described by Article 62.051(c)(7) (relating to the identification of any online identifier established or used by the person) or required by the Department of Public Safety of the State of Texas (DPS) under Article 62.051(c)(8) (relating to other information required by DPS), including any information regarding an employer's name, address, or telephone number.

EFFECTIVE DATE

Effective date: September 1, 2013.