

## **BILL ANALYSIS**

Senate Research Center  
85R31696 E

C.S.H.B. 1111  
By: Thompson, Senfronia (Rodríguez)  
Criminal Justice  
5/18/2017  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties contend that the current prohibition against certain individuals released on parole or to mandatory supervision from going on roadways near premises where children commonly gather is too restrictive and does not allow the individual to lawfully travel to a place where the individual has legitimate business, such as a parole office, rehabilitation facility, or workplace. H.B. 1111 seeks to provide an exception to that prohibition when such an individual is going immediately to or from certain locations on a route pre-approved by the individual's parole officer. (Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 1111 amends current law relating to the child safety zone applicable to registered sex offenders and to certain other persons who are released on parole or to mandatory supervision.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 508.187, Government Code, by adding Subsection (b-1), as follows:

(b-1) Provides that, notwithstanding Subsection (b)(1)(B) (relating to requiring a parole panel to establish a child safety zone applicable to a releasee if the panel determines that a child was the victim of the offense, by requiring a certain type of release), a requirement that a releasee not go in, on, or within a distance specified by a parole panel of certain premises does not apply to a releasee while the releasee is in or going immediately to or from a parole office, premises at which the releasee is participating in a program or activity required as a condition of release, a residential facility in which the releasee is required to reside as a condition of release, a private residence in which the releasee is required to reside as a condition of release, or any other premises, facility, or location that meets certain criteria.

SECTION 2. Amends Section 508.225, Government Code, by adding Subsection (a-1), as follows:

(a-1) Provides that, notwithstanding Subsection (a)(2) (relating to authorizing a parole panel to establish a certain child safety zone, if warranted by the offense for which the inmate is serving), a requirement that an inmate not go in, on, or within a distance specified by a parole panel of certain premises does not apply to an inmate while the inmate is in or going immediately to or from a parole office, premises at which the inmate is participating in a program or activity required as a condition of release, a residential facility in which the inmate is required to reside as a condition of release, a private residence in which the inmate is required to reside as a condition of release, or any other premises, facility, or location that meets certain criteria.

SECTION 3. Amends Subchapter Z, Chapter 341, Local Government Code, by adding Section 341.906, as follows:

Sec. 341.906. LIMITATIONS ON REGISTERED SEX OFFENDERS IN GENERAL-LAW MUNICIPALITIES. (a) Defines "child safety zone," "playground," "premises," "school," "video arcade facility," "youth center," and "registered sex offender."

(b) Authorizes the governing body of a general-law municipality by ordinance, to provide for the public safety, to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the municipality.

(c) Provides that it is an affirmative defense to prosecution of an offense under the ordinance that the registered sex offender was in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes.

(d) Authorizes the ordinance to establish a distance requirement described by Subsection (b) at any distance of not more than 1,000 feet.

(e) Requires that the ordinance establish procedures for a registered sex offender to apply for an exemption from the ordinance.

(f) Requires that the ordinance exempt a registered sex offender who established residency in a residence located within the specified distance of a child safety zone before the date the ordinance is adopted. Requires that the exemption apply only to areas necessary for the registered sex offender to have access to and to live in the residence and only to the period the registered sex offender maintains residency in the residence.

SECTION 4. Provides that Sections 508.187 and 508.225, Government Code, as amended by this Act, apply to a person on parole or mandatory supervision on or after the effective date of this Act, regardless of whether the person was released on parole or to mandatory supervision before, on, or after that date.

SECTION 5. Effective date: September 1, 2017.