

1-1 By: Raney, et al. (Senate Sponsor - Buckingham) H.B. No. 355
 1-2 (In the Senate - Received from the House April 24, 2017;
 1-3 May 1, 2017, read first time and referred to Committee on Criminal
 1-4 Justice; May 11, 2017, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 11, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to prohibiting certain sex offenders from residing on the
 1-20 campus of a public or private institution of higher education.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter B, Chapter 62, Code of Criminal
 1-23 Procedure, is amended by adding Article 62.064 to read as follows:

1-24 Art. 62.064. PROHIBITED LOCATION OF RESIDENCE. A person
 1-25 subject to registration under this chapter may not reside on the
 1-26 campus of a public or private institution of higher education
 1-27 unless:

1-28 (1) the person is assigned a numeric risk level of one
 1-29 based on an assessment conducted using the sex offender screening
 1-30 tool developed or selected under Article 62.007; and

1-31 (2) the institution approves the person to reside on
 1-32 the institution's campus.

1-33 SECTION 2. Article 62.053(a), Code of Criminal Procedure,
 1-34 is amended to read as follows:

1-35 (a) Before a person who will be subject to registration
 1-36 under this chapter is due to be released from a penal institution,
 1-37 the Texas Department of Criminal Justice or the Texas Juvenile
 1-38 Justice Department shall determine the person's level of risk to
 1-39 the community using the sex offender screening tool developed or
 1-40 selected under Article 62.007 and assign to the person a numeric
 1-41 risk level of one, two, or three. Before releasing the person, an
 1-42 official of the penal institution shall:

1-43 (1) inform the person that:

1-44 (A) not later than the later of the seventh day
 1-45 after the date on which the person is released or after the date on
 1-46 which the person moves from a previous residence to a new residence
 1-47 in this state or not later than the first date the applicable local
 1-48 law enforcement authority by policy allows the person to register
 1-49 or verify registration, the person must register or verify
 1-50 registration with the local law enforcement authority in the
 1-51 municipality or county in which the person intends to reside;

1-52 (B) not later than the seventh day after the date
 1-53 on which the person is released or the date on which the person
 1-54 moves from a previous residence to a new residence in this state,
 1-55 the person must, if the person has not moved to an intended
 1-56 residence, report to the applicable entity or entities as required
 1-57 by Article 62.051(h) or (j) or 62.055(e);

1-58 (C) not later than the seventh day before the
 1-59 date on which the person moves to a new residence in this state or
 1-60 another state, the person must report in person to the local law
 1-61 enforcement authority designated as the person's primary

2-1 registration authority by the department and to the juvenile
2-2 probation officer, community supervision and corrections
2-3 department officer, or parole officer supervising the person;

2-4 (D) not later than the 10th day after the date on
2-5 which the person arrives in another state in which the person
2-6 intends to reside, the person must register with the law
2-7 enforcement agency that is identified by the department as the
2-8 agency designated by that state to receive registration
2-9 information, if the other state has a registration requirement for
2-10 sex offenders;

2-11 (E) not later than the 30th day after the date on
2-12 which the person is released, the person must apply to the
2-13 department in person for the issuance of an original or renewal
2-14 driver's license or personal identification certificate and a
2-15 failure to apply to the department as required by this paragraph
2-16 results in the automatic revocation of any driver's license or
2-17 personal identification certificate issued by the department to the
2-18 person;

2-19 (F) the person must notify appropriate entities
2-20 of any change in status as described by Article 62.057; ~~and~~

2-21 (G) certain types of employment are prohibited
2-22 under Article 62.063 for a person with a reportable conviction or
2-23 adjudication for a sexually violent offense involving a victim
2-24 younger than 14 years of age and occurring on or after September 1,
2-25 2013; and

2-26 (H) certain locations of residence are
2-27 prohibited under Article 62.064 for a person with a reportable
2-28 conviction or adjudication for an offense occurring on or after
2-29 September 1, 2017, except as otherwise provided by that article;

2-30 (2) require the person to sign a written statement
2-31 that the person was informed of the person's duties as described by
2-32 Subdivision (1) or Subsection (g) or, if the person refuses to sign
2-33 the statement, certify that the person was so informed;

2-34 (3) obtain the address or, if applicable, a detailed
2-35 description of each geographical location where the person expects
2-36 to reside on the person's release and other registration
2-37 information, including a photograph and complete set of
2-38 fingerprints; and

2-39 (4) complete the registration form for the person.

2-40 SECTION 3. Article 62.058, Code of Criminal Procedure, is
2-41 amended by adding Subsection (g) to read as follows:

2-42 (g) A local law enforcement authority that provides to a
2-43 person a registration form for verification as required by this
2-44 chapter shall include with the form a statement describing the
2-45 prohibition under Article 62.064.

2-46 SECTION 4. (a) The change in law made by this Act in adding
2-47 Article 62.064, Code of Criminal Procedure, applies only to a
2-48 person who is required to register under Chapter 62, Code of
2-49 Criminal Procedure, on the basis of a conviction or adjudication
2-50 for an offense committed on or after the effective date of this Act.
2-51 An offense committed before the effective date of this Act is
2-52 governed by the law in effect on the date the offense was committed,
2-53 and the former law is continued in effect for that purpose.

2-54 (b) A person who is required to register under Chapter 62,
2-55 Code of Criminal Procedure, solely on the basis of a conviction or
2-56 adjudication that occurs before the effective date of this Act is
2-57 governed by the law in effect when the conviction or adjudication
2-58 occurred, and the former law is continued in effect for that
2-59 purpose.

2-60 SECTION 5. This Act takes effect September 1, 2017.

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