

1-1 By: Thompson of Harris (Senate Sponsor - Rodríguez) H.B. No. 1111  
 1-2 (In the Senate - Received from the House May 10, 2017;  
 1-3 May 10, 2017, read first time and referred to Committee on Criminal  
 1-4 Justice; May 17, 2017, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;  
 1-6 May 17, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1111 By: Huffman

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the child safety zone applicable to registered sex  
 1-22 offenders and to certain other persons who are released on parole or  
 1-23 to mandatory supervision.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 508.187, Government Code, is amended by  
 1-26 adding Subsection (b-1) to read as follows:

1-27 (b-1) Notwithstanding Subsection (b)(1)(B), a requirement  
 1-28 that a releasee not go in, on, or within a distance specified by a  
 1-29 parole panel of certain premises does not apply to a releasee while  
 1-30 the releasee is in or going immediately to or from:

- 1-31 (1) a parole office;
- 1-32 (2) premises at which the releasee is participating in  
 1-33 a program or activity required as a condition of release;
- 1-34 (3) a residential facility in which the releasee is  
 1-35 required to reside as a condition of release;
- 1-36 (4) a private residence in which the releasee is  
 1-37 required to reside as a condition of release; or
- 1-38 (5) any other premises, facility, or location that is:  
 1-39 (A) designed to rehabilitate or reform the  
 1-40 releasee; or

1-41 (B) authorized by the division as a premises,  
 1-42 facility, or location where it is reasonable and necessary for the  
 1-43 releasee to be present and at which the releasee has legitimate  
 1-44 business, including a church, synagogue, or other established place  
 1-45 of religious worship, a workplace, a health care facility, or a  
 1-46 location of a funeral.

1-47 SECTION 2. Section 508.225, Government Code, is amended by  
 1-48 adding Subsection (a-1) to read as follows:

1-49 (a-1) Notwithstanding Subsection (a)(2), a requirement that  
 1-50 an inmate not go in, on, or within a distance specified by a parole  
 1-51 panel of certain premises does not apply to an inmate while the  
 1-52 inmate is in or going immediately to or from:

- 1-53 (1) a parole office;
- 1-54 (2) premises at which the inmate is participating in a  
 1-55 program or activity required as a condition of release;
- 1-56 (3) a residential facility in which the inmate is  
 1-57 required to reside as a condition of release;
- 1-58 (4) a private residence in which the inmate is  
 1-59 required to reside as a condition of release; or
- 1-60 (5) any other premises, facility, or location that is:

2-1 (A) designed to rehabilitate or reform the  
2-2 inmate; or

2-3 (B) authorized by the division as a premises,  
2-4 facility, or location where it is reasonable and necessary for the  
2-5 inmate to be present and at which the inmate has legitimate  
2-6 business, including a church, synagogue, or other established place  
2-7 of religious worship, a workplace, a health care facility, or a  
2-8 location of a funeral.

2-9 SECTION 3. Subchapter Z, Chapter 341, Local Government  
2-10 Code, is amended by adding Section 341.906 to read as follows:

2-11 Sec. 341.906. LIMITATIONS ON REGISTERED SEX OFFENDERS IN  
2-12 GENERAL-LAW MUNICIPALITIES. (a) In this section:

2-13 (1) "Child safety zone" means premises where children  
2-14 commonly gather. The term includes a school, day-care facility,  
2-15 playground, public or private youth center, public swimming pool,  
2-16 video arcade facility, or other facility that regularly holds  
2-17 events primarily for children. The term does not include a church,  
2-18 as defined by Section 544.251, Insurance Code.

2-19 (2) "Playground," "premises," "school," "video arcade  
2-20 facility," and "youth center" have the meanings assigned by Section  
2-21 481.134, Health and Safety Code.

2-22 (3) "Registered sex offender" means an individual who  
2-23 is required to register as a sex offender under Chapter 62, Code of  
2-24 Criminal Procedure.

2-25 (b) To provide for the public safety, the governing body of  
2-26 a general-law municipality by ordinance may restrict a registered  
2-27 sex offender from going in, on, or within a specified distance of a  
2-28 child safety zone in the municipality.

2-29 (c) It is an affirmative defense to prosecution of an  
2-30 offense under the ordinance that the registered sex offender was  
2-31 in, on, or within a specified distance of a child safety zone for a  
2-32 legitimate purpose, including transportation of a child that the  
2-33 registered sex offender is legally permitted to be with,  
2-34 transportation to and from work, and other work-related purposes.

2-35 (d) The ordinance may establish a distance requirement  
2-36 described by Subsection (b) at any distance of not more than 1,000  
2-37 feet.

2-38 (e) The ordinance shall establish procedures for a  
2-39 registered sex offender to apply for an exemption from the  
2-40 ordinance.

2-41 (f) The ordinance must exempt a registered sex offender who  
2-42 established residency in a residence located within the specified  
2-43 distance of a child safety zone before the date the ordinance is  
2-44 adopted. The exemption must apply only to:

2-45 (1) areas necessary for the registered sex offender to  
2-46 have access to and to live in the residence; and

2-47 (2) the period the registered sex offender maintains  
2-48 residency in the residence.

2-49 SECTION 4. Sections 508.187 and 508.225, Government Code,  
2-50 as amended by this Act, apply to a person on parole or mandatory  
2-51 supervision on or after the effective date of this Act, regardless  
2-52 of whether the person was released on parole or to mandatory  
2-53 supervision before, on, or after that date.

2-54 SECTION 5. This Act takes effect September 1, 2017.

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