

House Bill 1111
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

(b-1) Notwithstanding Subsection (b)(1)(B), 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:

(1) a parole office;

(2) premises at which the releasee is participating in a program or activity required as a condition of release;

(3) a residential facility in which the releasee is required to reside as a condition of release;

(4) a private residence in which the releasee is required to reside as a condition of release; or

(5) any other premises, facility, or location that is:

(A) designed to rehabilitate or reform the releasee; or

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

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

(a-1) Notwithstanding Subsection (a)(2), 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:

(1) a parole office;

(2) premises at which the inmate is participating in a program or activity required as a condition of release;

SENATE VERSION (CS)

SECTION 1. Same as House version.

SECTION 2. Same as House version.

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- (3) a residential facility in which the inmate is required to reside as a condition of release;
- (4) a private residence in which the inmate is required to reside as a condition of release; or
- (5) any other premises, facility, or location that is:
 - (A) designed to rehabilitate or reform the inmate; or
 - (B) authorized by the division as a premises, facility, or location where it is reasonable and necessary for the inmate to be present and at which the inmate has legitimate business, including a church, synagogue, or other established place of religious worship, a workplace, a health care facility, or a location of a funeral.

No equivalent provision.

SENATE VERSION (CS)

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

Sec. 341.906. LIMITATIONS ON REGISTERED SEX OFFENDERS IN GENERAL-LAW MUNICIPALITIES. (a)

In this section:

- (1) "Child safety zone" means premises where children commonly gather. The term includes a school, day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, or other facility that regularly holds events primarily for children. The term does not include a church, as defined by Section 544.251, Insurance Code.
- (2) "Playground," "premises," "school," "video arcade facility," and "youth center" have the meanings assigned by Section 481.134, Health and Safety Code.
- (3) "Registered sex offender" means an individual who is required to register as a sex offender under Chapter 62, Code

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of Criminal Procedure.

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

(c) 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) The ordinance may establish a distance requirement described by Subsection (b) at any distance of not more than 1,000 feet.

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

(f) The ordinance must 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. The exemption must apply only to:

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

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

SECTION 3. The change in law made by this Act applies 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 4. 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.

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SECTION 4. This Act takes effect September 1, 2017.

SECTION 5. Same as House version.