

By: Meyer

H.B. No. 4590

A BILL TO BE ENTITLED

AN ACT

relating to the registration of a person in the state sex offender registry.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Art. 62.051, Code of Criminal Procedure, is amended by amending Subsections (a) and (f) to read as follows:

(a) A person who has a reportable conviction or adjudication or who is required to register as a condition of parole, release to mandatory supervision, or community supervision shall register or, if the person is a person for whom registration is completed under this chapter, verify registration as provided by Subsection (f), with the local law enforcement authority in any municipality where the person resides or intends to reside for more than seven days. If the person does not reside or intend to reside in a municipality, the person shall register or verify registration in any county where the person resides or intends to reside for more than seven days. The person shall satisfy the requirements of this subsection not later than the later of:

(1) the ~~seventh day after~~ date of the person's arrival in the municipality or county; or

(2) the first date the local law enforcement authority of the municipality or county by policy allows the person to register or verify registration, as applicable.

(f) Not later than the ~~seventh day after the~~ date on which

1 the person is released, a person for whom registration is completed
2 under this chapter shall report to the applicable local law
3 enforcement authority to verify the information in the registration
4 form received by the authority under this chapter. The authority
5 shall require the person to produce proof of the person's identity
6 and residence before the authority gives the registration form to
7 the person for verification. If the information in the registration
8 form is complete and accurate, the person shall verify registration
9 by signing the form. If the information is not complete or not
10 accurate, the person shall make any necessary additions or
11 corrections before signing the form.

12 SECTION 2. Art. 62.053, Code of Criminal Procedure, is
13 amended by amending Subsections (a) to read as follows:

14 (a) Before a person who will be subject to registration
15 under this chapter is due to be released from a penal institution,
16 the Texas Department of Criminal Justice or the Texas Juvenile
17 Justice Department shall determine the person's level of risk to
18 the community using the sex offender screening tool developed or
19 selected under Article 62.007 and assign to the person a numeric
20 risk level of one, two, or three. Before releasing the person, an
21 official of the penal institution shall:

22 (1) inform the person that:

23 (A) not later than the ~~later of the seventh day~~
24 ~~after the~~ date on which the person is released or after the date on
25 which the person moves from a previous residence to a new residence
26 in this state or not later than the first date the applicable local
27 law enforcement authority by policy allows the person to register

1 or verify registration, the person must register or verify
2 registration with the local law enforcement authority in the
3 municipality or county in which the person intends to reside;

4 (B) not later than the ~~seventh day after the~~ date
5 on which the person is released or the date on which the person
6 moves from a previous residence to a new residence in this state,
7 the person must, if the person has not moved to an intended
8 residence, report to the applicable entity or entities as required
9 by Article [62.051](#)(h) or (j) or [62.055](#)(e);

10 (C) not later than the ~~seventh day before the~~
11 date on which the person moves to a new residence in this state or
12 another state, the person must report in person to the local law
13 enforcement authority designated as the person's primary
14 registration authority by the department and to the juvenile
15 probation officer, community supervision and corrections
16 department officer, or parole officer supervising the person;

17 (D) not later than the 10th day after the date on
18 which the person arrives in another state in which the person
19 intends to reside, the person must register with the law
20 enforcement agency that is identified by the department as the
21 agency designated by that state to receive registration
22 information, if the other state has a registration requirement for
23 sex offenders;

24 (E) not later than the 30th day after the date on
25 which the person is released, the person must apply to the
26 department in person for the issuance of an original or renewal
27 driver's license or personal identification certificate and a

1 failure to apply to the department as required by this paragraph
2 results in the automatic revocation of any driver's license or
3 personal identification certificate issued by the department to the
4 person;

5 (F) the person must notify appropriate entities
6 of any change in status as described by Article 62.057;

7 (G) certain types of employment are prohibited
8 under Article 62.063 for a person with a reportable conviction or
9 adjudication for a sexually violent offense involving a victim
10 younger than 14 years of age and occurring on or after September 1,
11 2013; and

12 Text of paragraph as added by Acts 2017, 85th Leg., R.S., Ch.
13 329 (H.B. 355), Sec. 2

14 (H) certain locations of residence are
15 prohibited under Article 62.064 for a person with a reportable
16 conviction or adjudication for an offense occurring on or after
17 September 1, 2017, except as otherwise provided by that article;

18 Text of paragraph as added by Acts 2017, 85th Leg., R.S., Ch.
19 924 (S.B. 1553), Sec. 1

20 (H) if the person enters the premises of a school
21 as described by Article 62.064 and is subject to the requirements of
22 that article, the person must immediately notify the administrative
23 office of the school of the person's presence and the person's
24 registration status under this chapter;

25 (2) require the person to sign a written statement
26 that the person was informed of the person's duties as described by
27 Subdivision (1) or Subsection (g) or, if the person refuses to sign

1 the statement, certify that the person was so informed;

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

7 (4) complete the registration form for the person.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this Act
11 does not receive the vote necessary for immediate effect, this Act
12 takes effect September 1, 2019.