

BILL ANALYSIS

Senate Research Center

S.B. 1518
By: King
Border Security
6/15/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The incredible risk of harm posed by terrorist actors has been recognized by 34 states and the District of Columbia, which have enacted state criminal statutes directed at terrorism. However, the State of Texas has not. This has resulted in law enforcement and prosecutors lacking the necessary tools to pursue investigations, obtain convictions, and impose proportionate punishments against terrorist actors.

S.B. 1518 provides those tools by creating a new category for terroristic offenses. The new state terrorism offenses will carry appropriate penalties against terrorists who knowingly act or provide material support to terrorist organizations. Commission of an enumerated offense carries a mandatory enhancement of one penalty level and a mandatory minimum sentence of 15 years for felonies and 180 days for misdemeanors.

S.B. 1518 also creates the nation's only Terrorist Offender Registry, to identify those who have proven to be threats to public and national safety. Following completion of their prison sentence for the commission of a reportable offense, S.B. 1518 requires convicted terrorists to register on the Terrorist Offender Registry with Texas law enforcement if they reside in or plan to move to the State of Texas.

The bill operates similarly to the state sex offender registration statute, with the following exceptions: the information on the registry is not public information and is accessible only by law enforcement; the bill does not include provisions regarding social media identifiers; the bill does not include employment prohibitions; the bill does not include provisions regarding juveniles; and the bill does not include provisions regarding evaluating risk levels of offenders.

(Original Author's/Sponsor's Statement of Intent)

S.B. 1518 amends current law relating to the establishment of a terrorist offender registry and to the supervision of those terrorist offenders and creates criminal offenses related to terrorism.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of the Public Safety of the State of Texas in SECTION 1 (Article 65.009, Code of Criminal Procedure) of this bill.

Rulemaking authority is expressly granted to the Texas Department of Criminal Justice in SECTION 1 (Article 65.009, Code of Criminal Procedure) of this bill.

Rulemaking authority is expressly granted to the Texas Juvenile Justice Department in SECTION 1 (Article 65.009, Code of Criminal Procedure) of this bill.

Rulemaking authority previously granted to the Department of Public Safety of the State of Texas is modified in SECTION 3 (Section 411.1473, Government Code) of this bill

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 1, Code of Criminal Procedure, by adding Chapter 65, as follows:

CHAPTER 65. TERRORIST OFFENDER REGISTRATION PROGRAM

SUBCHAPTER A. GENERAL PROVISIONS

Art. 65.001. DEFINITIONS. Defines "authority for campus security," "centralized registration authority," "criminal justice official," "department," "extrajurisdictional registrant," "local law enforcement authority," "officer," "penal institution," "released," "reportable conviction or adjudication," and "terrorist offender."

Art. 65.002. APPLICABILITY OF CHAPTER. (a) Provides that this chapter applies only to a reportable conviction or adjudication occurring on or after January 1, 2024.

(b) Provides that the duties imposed on a person required to register under this chapter on the basis of a reportable conviction or adjudication, and the corresponding duties and powers of other entities in relation to the person required to register on the basis of that conviction or adjudication, are not affected by an appeal of the conviction or adjudication, except as provided by Subsection (c).

(c) Provides that the duties imposed on the person by this chapter and the corresponding duties and powers of other entities in relation to the person are terminated, if a conviction or adjudication that is the basis of a duty to register under this chapter is set aside on appeal by a court or if the person required to register under this chapter receives a pardon.

Art. 65.003. DETERMINATION REGARDING SUBSTANTIALLY SIMILAR ELEMENTS OF OFFENSE. (a) Provides that the Department of Public Safety of the State of Texas (DPS) is responsible for determining, for purposes of this chapter, whether an offense under the laws of another state or a foreign country, federal law, or the Uniform Code of Military Justice contains elements that are substantially similar to the elements of an offense described by certain statutes.

(b) Requires DPS annually to provide or make available to each prosecuting attorney's office in this state:

(1) the criteria used in making a determination under Subsection (a); and

(2) any existing record or compilation of offenses under the laws of another state or a foreign country, federal law, and the Uniform Code of Military Justice that DPS has already determined to contain elements that are substantially similar to the elements of offenses under the laws of this state.

Art. 65.004. DETERMINATION REGARDING PRIMARY REGISTRATION AUTHORITY. (a) Requires DPS to determine which local law enforcement authority serves as the person's registration authority based on the municipality or county in which the person resides for each person subject to registration under this chapter, except as provided by Subsection (b).

(b) Provides that the centralized registration authority serves as the person's registration authority, if a person resides, works, or attends school in a county with a centralized registration authority, regardless of whether the person resides, works, or attends school in any municipality located in that county.

(c) Requires DPS to notify each person subject to registration under this chapter of the person's primary registration authority in a timely manner.

Art 65.005. CENTRALIZED REGISTRATION AUTHORITY. (a) Authorizes the commissioners court of a county to designate the office of the sheriff or the office of a chief of police to serve as a centralized registration authority.

(b) Provides that a person subject to this chapter is required to perform the registration and verification requirements of Articles 65.051 and 65.056 and the change of address requirements of Article 65.054 only with respect to the centralized registration authority for the county, regardless of whether the person resides in any municipality located in that county. Requires the centralized registration authority to provide to the local law enforcement authority, not later than the third day after the date the person registers or verifies registration or changes address with that authority, notice of the person's registration, verification of registration, or change of address, as applicable, with the centralized registration authority, if the person resides in a municipality, and the local law enforcement authority does not serve as the person's centralized registration authority.

(c) Provides that this article does not affect a person's duty to register with a secondary terrorist offender registry under Article 65.057.

Art. 65.006. CENTRAL DATABASE. (a) Requires DPS to maintain a computerized central database containing the information required for registration under this chapter.

(b) Provides that the information contained in the database is confidential and not subject to disclosure under Chapter 552 (Public Information), Government Code, except as provided by Subsection (d), (e), (g), (h), and (i). Provides that information from the database that is received by an entity under Subsection (d), (e), (g), (h), or (i) is confidential and not subject to disclosure by the entity.

(c) Requires DPS to maintain in the database any photograph of the person that is available, including through the process for obtaining or renewing a personal identification certificate or driver's license under Section 521.103 (Expiration and Renewal Requirements for Certain Sex Offenders) or 521.272 (Renewal of License Issued to Certain Sex Offenders), Transportation Code, and to update the photographs in the database annually or as photographs otherwise become available.

(d) Requires DPS to provide a licensing authority with notice of any person required to register under this chapter who holds or seeks a license that is issued by the authority.

(e) Requires DPS to release any information described by Subsection (a) to a licensing authority on the written request of a licensing authority that identifies an individual and states that the individual is an applicant for or a holder of a license issued by the authority.

(f) Defines "license" and "licensing authority."

(g) Requires DPS, not later than the third day after the date on which the applicable information becomes available through the person's registration or verification of registration or under Article 65.056, to send notice of any person required to register under this chapter who is or will be employed by, carrying on a vocation at, or a student at an institution of higher education in this state to:

(1) for an institution in this state:

(A) the authority for campus security; or

(B) if an authority for campus security does not exist, the local law enforcement authority of:

(i) the municipality in which the institution is located; or

(ii) the county in which the institution is located, if the institution is not located in a municipality; or

(2) for an institution in another state, any existing authority for campus security.

(h) Requires DPS to release any information described by Subsection (a) to the institution on the written request of an institution of higher education described by Subsection (g) that identifies an individual and states that the individual has applied to work or study at the institution.

(i) Requires DPS, for law enforcement purposes, to release all relevant information described by Subsection (a) to a peace officer, a criminal justice official, an employee of a local law enforcement authority, or the attorney general on the request of the applicable person or entity.

Art. 65.007. INFORMATION PROVIDED ON REQUEST OF LAW ENFORCEMENT PERSONNEL OR PROSECUTOR; ALERT. (a) Requires DPS to establish a procedure by which a peace officer, criminal justice official, or employee of a law enforcement agency who provides DPS with a driver's license number, personal identification certificate number, or license plate number is automatically provided information as to whether the person is required to register under this chapter or whether the license plate number is entered in the computerized central database under Article 65.006.

(b) Requires DPS to establish an alert flag on the criminal history record information of each person who is required to register under this chapter that would be visible and accessible to a peace officer, criminal justice official, or employee of a law enforcement agency while in the performance of the officer's, official's, or employee's official duties.

Art. 65.008. GENERAL IMMUNITY. Provides that the following persons are immune from liability for good faith conduct under this chapter:

(1) a criminal justice official;

(2) an employee or officer of DPS, the Texas Department of Criminal Justice (TDCJ), the Texas Juvenile Justice Department (TJJD), the Board of Pardons and Paroles, or local law enforcement authority or law enforcement agency;

(3) an employee or officer of a community supervision and corrections department or a juvenile probation department; and

(4) a member of the judiciary.

Art. 65.009. RULEMAKING AUTHORITY. Authorizes DPS, TDCJ, and TJJD to adopt any rule necessary to implement this chapter.

SUBCHAPTER B. REGISTRATION AND VERIFICATION REQUIREMENTS; RELATED NOTICE

Art. 65.051. REGISTRATION: GENERAL. (a) Requires a person who is required to register under this chapter as a condition of parole, release to mandatory supervision, or community supervision to 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. Requires the person to register or verify registration in any county 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. Requires the person to satisfy the requirements of this subsection not later than:

(1) the seventh day after 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.

(b) Requires DPS to provide TDCJ, TJJJ, and each local law enforcement authority, authority for campus security, county jail, and court with a form for registering persons required by this chapter to register.

(c) Requires that the registration form require:

(1) the person's full name, date of birth, sex, race, height, weight, eye color, hair color, social security number, and driver's license number;

(2) the address at which the person resides or intends to reside or a detailed description of the geographical location at which the person resides or intends to reside;

(3) each alias used by the person and any home, work, or cellular telephone number;

(4) a recent color photograph or an electronic digital image of the person and a complete set of the person's fingerprints;

(5) the type of offense for which the person is required to register, the date of conviction or adjudication, and the punishment received;

(6) an indication as to whether the person is discharged, paroled, or released on juvenile probation, community supervision, or mandatory supervision;

(7) an indication of each license, as defined by Article 65.006, that is held or sought by the person;

(8) an indication as to whether the person is or will be employed by, carrying on a vocation at, or a student at an institution of higher education, and the name and address of that institution;

(9) the vehicle registration information of any vehicle owned by the person, including the make, model, vehicle identification number, color, and license plate number; and

(10) any other information required by DPS.

(d) Requires that the registration form contain a description of any registration duties the person has under this chapter.

(e) Requires the local law enforcement authority to send a copy of the registration form to DPS and, if the person resides on the campus of a public or private institution of higher education, to any authority for campus security for that institution, not later than the third day after a person registers.

(f) Requires a person for whom registration is completed under this chapter to report to the applicable local law enforcement authority to verify the information in the registration form received by the authority under this chapter not later than the seventh day after the date on which the person is released. Requires the authority to require the person to produce proof of the person's identity and residence before the authority gives the registration form to the person for

verification. Requires the person, if the information in the registration form is complete and accurate, to verify registration by signing the form. Requires the person to make any necessary additions or corrections before signing the form if the information is not complete or accurate.

(g) Requires a person who is required to register or verify registration under this chapter to ensure that the person's registration form is complete and accurate with respect to each piece of information required by the form in accordance with Subsection (c).

(h) Requires a person, if the person subject to registration under this chapter does not move to an intended residence by the end of the seventh day after the date on which the person is released or the date on which the person leaves a previous residence, to:

(1) report to the officer supervising the person by not later than the seventh day after the date the person is released or the date on which the person leaves a previous residence, and provide the officer with the address of the person's temporary residence; and

(2) continue to report to the officer weekly during the time in which the person has not moved to an intended residence and provide the officer with the address of the person's temporary residence.

(i) Requires a person who has a reportable conviction or adjudication, who resides in this state, and who is employed by, carries on a vocation at, or is a student at an institution of higher education in another state to register, not later than the 10th day after the date on which the person begins to work or attend school in the other state, with the law enforcement authority that is identified by DPS as the authority designated by that state to receive registration information if the other state has a registration requirement for a terrorist offender. Requires the person to also register with that authority not later than the 10th day after the date on which the person begins to work or attend school if the person is employed by, carries on a vocation at, or is a student at a public or private institution of higher education in the other state and if an authority for campus security exists at the institution.

(j) Requires a person, if the person subject to registration under this chapter is released from a penal institution without being released to parole or placed on any other form of supervision, and the person does not move to the address indicated on the registration form as the person's intended residence or does not indicate an address on the registration form, not later than the seventh day after the date on which the person is released, to:

(1) report in person to the local law enforcement authority for the municipality or county, as applicable, in which the person is residing and provide that authority with the address at which the person is residing or, if the person's residence does not have a physical address, a detailed description of the geographical location of the person's residence; and

(2) until the person indicates the person's current address on the registration form or otherwise complies with the requirements of Article 65.054, as appropriate, continue to report, in the manner required by Subdivision (1), to that authority not less than once in each succeeding 30-day period and provide that authority with the address at which the person is residing or, if applicable, a detailed description of the geographical location of the person's residence.

(k) Prohibits a person required to register under this chapter from refusing or otherwise failing to provide any information required for the accurate completion of the registration form.

Art. 65.052. REGISTRATION: EXTRAJURISDICTIONAL REGISTRANTS. (a) Requires an extrajurisdictional registrant to comply with the annual verification requirements of Article 65.056.

(b) Provides that the duty to register for an extrajurisdictional registrant expires on the date the person's duty to register would expire under the laws of the other state or foreign country had the person remained in that state or foreign country, under federal law, or under the Uniform Code of Military Justice, as applicable.

Art. 65.053. PRERELEASE NOTIFICATION. (a) Requires an official of the penal institution, before a person who will be subject to registration under this chapter is due to be released from a penal institution, to:

(1) inform the person that:

(A) not later than the seventh day after the date on which the person is released or after the date on which the person moves from a previous residence to a new residence in this state, or not later than the first date the applicable local law enforcement authority by policy allows the person to register or verify registration, the person is required to register or verify registration with the local law enforcement authority in the municipality or county in which the person intends to reside;

(B) the person is required to report to the applicable entity or entities as required by Article 65.051 or 65.054 if the person has not moved to an intended residence, not later than the seventh day after the date on which the person is released or the date on which the person moves from a previous residence to a new residence in this state;

(C) the person is required to report in person to the local law enforcement authority designated as the person's registration authority and to the officer supervising the person not later than the seventh day before the date on which the person moves to a new residence in this state or another state;

(D) the person is required to register with the law enforcement agency that is identified by DPS as the agency designated in that state to receive registration information, if the other state has a registration requirement, not later than the 10th day after date on which the person arrives in another state in which the person intends to reside;

(E) the person is required, not later than the 30th day after the date on which the person is released, to apply to DPS in person for the issuance of an original or renewal driver's license or personal identification certificate and a failure to apply to DPS as required by this paragraph results in the automatic revocation of any driver's license or personal identification certificate issued by DPS to the person; and

(F) the person is required to notify appropriate entities of any change in status as described by Article 65.055;

(2) require the person to sign written statement confirming that the person was informed of the person's duties as described by Subdivision (1) or, if the person refuses to sign the statement, certify that the person was so informed;

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

(4) complete the registration form for the person.

(b) Requires an official of a penal institution, on the seventh day before the date on which a person who will be subject to registration under this chapter is due to be released from the penal institution, or on receipt of notice by the penal institution that a person who will be subject to registration under this chapter is due to be released in less than seven days, to send the person's completed registration form to DPS and to:

(1) the applicable local law enforcement authority in the municipality or county in which the person expects to reside in this state, if the person expects to reside in this state; or

(2) the law enforcement agency that is identified by DPS as the agency designated by another state to receive registration information, if the person expects to reside in that other state and that other state has a registration requirement for terrorist offenders.

(c) Requires the court pronouncing the order or sentence, if a person who is subject to registration under this chapter receives an order deferring adjudication, placing the person on community supervision or juvenile probation, or imposing only a fine, to ensure that the prerelease notification and registration requirements are conducted on the day of entering the order or sentencing. Requires a community supervision and corrections department representative to immediately conduct the prerelease notification and registration requirements if the representative is available in court at the time a court pronounces a sentence of deferred adjudication or community supervision. Requires the court to designate another appropriate individual to conduct the prerelease notification and registration requirements in any other case in which the court pronounces a sentence under this subsection.

(d) Requires the parole division of TDCJ or a community supervision and corrections department, as applicable, to conduct the prerelease notification and registration requirements on the date the person is placed under supervision if a person who will be subject to registration under this chapter is placed under the supervision of the division or department under Section 510.017 (Compact to be Entered; Text), Government Code.

(e) Requires an official of a penal institution, before a person who will be subject to registration under this chapter is due to be released from a penal institution in this state, to inform the person that:

(1) if the person intends to reside in another state and to work or attend school in this state, the person is required, not later than the seventh day after the date on which the person begins to work or attend school or the first date the applicable local law enforcement authority allows the person to register or verify registration, to register or verify registration with the local law enforcement authority in the municipality or county in which the person intends to work or attend school; and

(2) if the person intends to reside in this state and to work or attend school in another state and if the other state has a registration requirement for terrorist offenders, the person is required, not later than the 10th day after the date on which the person begins to work or attend school in the other

state, to register with the law enforcement authority that is identified by DPS as the authority designated by that state to receive registration information.

Art. 65.054. CHANGE OF ADDRESS; LACK OF ADDRESS. (a) Requires a person, if a person required to register under this chapter intends to change address, to report in person to the local law enforcement authority designated as the person's registration authority and the officer supervising the person, not later than the seventh day before the intended change, and provide the authority and the officer with the person's anticipated move date and new address. Requires a person to report in person to the local law enforcement authority in the municipality or county in which the person's new residence is located and provide the authority with proof of identity and proof of residence, not later than the seventh day after changing the address or the first day the applicable local law enforcement authority allows the person to report, if a person required to register under this chapter changes address.

(b) Requires the officer supervising the person to forward the information provided under Subsection (a), not later than the third day after receiving a report under Subsection (a), to the local law enforcement authority designated as the person's primary registration authority by DPS and, if the person intends to move to another municipality or county in this state, to the applicable local law enforcement authority in that municipality or county.

(c) Requires the person to register with the law enforcement agency that is identified by DPS as the agency designated by that state to receive registration information not later than the 10th day after the date on which the person arrives in the other state if the person moves to another state that has a registration requirement for terrorist offenders.

(d) Requires the local law enforcement authority to forward the information to DPS and, if the person intends to move to another municipality or county in this state, to the applicable local law enforcement authority in that municipality or county, not later than the third day after receipt of information under Subsection (a) or (b), whichever is earlier.

(e) Requires a person, if a person who reports to a local law enforcement authority under Subsection (a) does not move on or before the anticipated move date or does not move to the new address provided to the authority to:

(1) report to the local law enforcement authority designated as the person's primary registration authority by DPS and provide an explanation to the authority regarding any changes in the anticipated move date and intended residence not later than the seventh day after the anticipated move date, and not less than weekly after that seventh day; and

(2) report to the officer supervising the person not less than weekly during any period in which the person has not moved to an intended residence.

(f) Requires DPS to inform the applicable local law enforcement authority in the new area of the person's residence not later than the third day after the date the person moves if the person moves to another municipality or county in this state.

(g) Requires DPS, if the person moves to another state, immediately on receiving information under Subsection (d), to:

(1) inform the agency that is designated by the other state to receive registration information, if that state has a registration requirement for terrorist offenders; and

(2) send to the Federal Bureau of Investigation a copy of the person's registration form, including the record of conviction and a complete set of fingerprints.

(h) Requires a person to confirm the person's location or locations, if a person required to register under this chapter resides for more than seven days at a location or locations to which a physical address has not been assigned by a governmental entity, not less than once in each 30-day period, by:

(1) reporting to the local law enforcement authority in the municipality where the person resides or, if the person does not reside in a municipality, the local law enforcement authority in the county in which the person resides; and

(2) providing a detailed description of the applicable location or locations.

Art. 65.055. STATUS REPORT BY SUPERVISING OFFICER OR LOCAL LAW ENFORCEMENT AUTHORITY. (a) Requires an officer to promptly notify the appropriate local law enforcement authority or authorities of the change if the officer supervising a person subject to registration under this chapter receives information to the effect that the person's status has changed in any manner that affects proper supervision of the person, including a change in the person's name, physical health, job or educational status, including higher educational status, incarceration, or terms of release. Requires the officer to notify the local law enforcement authorities designated by Article 65.054(b) if the person required to register intends to change address. Requires the officer to notify the local law enforcement authority, not later than the seventh day after the date the officer receives the relevant information, of any change in the person's job or educational status in which the person:

(1) becomes employed, begins to carry on a vocation, or becomes a student at a particular institution of higher education; or

(2) terminates the person's status in that capacity.

(b) Requires a person subject to registration under this chapter, not later than the seventh day after the date of the change or the first date the applicable authority by policy allows the person to report, to report to the local law enforcement authority designated as the person's registration authority any change in the person's name or job or educational status or if the person is hospitalized for any reason.

Art. 65.056. LAW ENFORCEMENT VERIFICATION OF REGISTRATION INFORMATION. (a) Requires a person subject to registration under this chapter who has, with respect to an offense described by Article 65.001(10), been convicted two or more times, received an order of deferred adjudication two or more times, or been convicted and received an order of deferred adjudication to report to the local law enforcement authority designated as the person's registration authority not less than once in each 90-day period following the date the person first registered under this chapter to verify the information in the registration form maintained by the authority for that person. Requires a person subject to registration under this chapter who is not subject to the 90-day reporting requirement described by this subsection to report to the local law enforcement authority designated as the person's registration authority once each year not earlier than the 30th day before and not later than the 30th day after the anniversary of the person's date of birth to verify the information in the registration form maintained by the authority for that person.

(b) Authorizes a local law enforcement authority designated as a person's registration authority by DPS to direct the person to report to the authority to verify the information in the registration form maintained by DPS for that person. Authorizes the authority to direct the person to report under this subsection once

in each 90-day period following the date the person first registered under this chapter, if the person is required to report not less than once in each 90-day period under Subsection (a), or once in each year not earlier than the 30th day before and not later than the 30th day after the anniversary of the person's date of birth, if the person is required to report once each year under Subsection (a). Prohibits a local law enforcement authority from directing a person to report to the authority under this subsection if the person is required to report under Subsection (a) and is in compliance with the reporting requirements of that subsection.

(c) Requires the local law enforcement authority to require the person to produce proof of the person's identity and residence before the authority gives the registration form to the person for verification. Requires the person to verify registration by signing the form if the information in the registration form is complete and accurate. Requires the person to make any necessary additions or corrections before signing the form if the information is not complete or not accurate.

(d) Authorizes a local law enforcement authority designated as a person's primary registration authority by DPS at any time to mail a nonforwardable verification form to the last reported address of the person. Requires the person, not later than the 21st day after receipt of a verification form under this subsection, to:

- (1) indicate on the form whether the person still resides at the last reported address or the person's new address;
- (2) complete any other information required by the form;
- (3) sign the form; and
- (4) return the form to the authority.

(e) Provides that a person receives multiple convictions or orders of deferred adjudication, for purposes of this article, regardless of whether:

- (1) the judgments or orders are entered on different dates; or
- (2) the offenses for which the person was convicted or placed on deferred adjudication arose out of different criminal transactions.

Art. 65.057. REGISTRATION OF PERSONS REGULARLY VISITING LOCATION.

(a) Requires a person subject to this chapter who on at least three occasions during any month spends more than 48 consecutive hours in a municipality or county in this state, other than the municipality or county in which the person is registered under this chapter, before the last day of that month to report that fact to:

- (1) the local law enforcement authority of the municipality in which the person is a visitor; or
- (2) if the person is a visitor in a location that is not a municipality, the local law enforcement authority of the county in which the person is a visitor.

(b) Requires a person described by Subsection (a) to provide the local law enforcement authority with:

- (1) all information the person is required to provide under Article 65.051(c);
- (2) the address of any location in the municipality or county, as appropriate, at which the person was lodged during the month; and

(3) a statement as to whether the person intends to return to the municipality or county during the succeeding month.

Art. 65.058. REQUIREMENTS RELATING TO DRIVER'S LICENSE OR PERSONAL IDENTIFICATION CERTIFICATE. (a) Requires a person subject to registration under this chapter to apply to DPS in person for the issuance of an original or renewal driver's license under Section 521.272, Transportation Code, a personal identification certificate under Section 521.103, Transportation Code, or a commercial driver's license or commercial learner's permit under Section 522.033 (Commercial Driver's License Issued to Certain Sex Offenders), Transportation Code, not later than the 30th day after the date:

(1) the person is released from a penal institution or by a court; or

(2) DPS sends written notice to the person of the requirements of this article.

(b) Requires the person to annually renew in person the driver's license or personal identification certificate until the person's duty to register under this chapter expires

Art. 65.059. DNA SPECIMEN. Requires a person required to register under this chapter to comply with a request for a DNA specimen made by a law enforcement agency under Section 411.1473 (DNA Records of Certain Registered Sex Offenders), Government Code.

Art. 65.060. PROHIBITED LOCATION OF RESIDENCE. Prohibits a person subject to registration under this chapter from residing on the campus of an institution of higher education unless the institution approves the person to reside on the institution's campus.

SUBCHAPTER C. EXPIRATION OF DUTY TO REGISTER; OFFENSE

Art. 65.101. EXPIRATION OF DUTY TO REGISTER. Provides that the duty to register for a person ends when a judge in a court of competent jurisdiction determines that the person no longer represents a threat to public safety.

Art. 65.102. FAILURE TO COMPLY WITH REGISTRATION REQUIREMENTS. (a) Provides that a person commits an offense if the person is required to register and intentionally or knowingly fails to comply with any requirement of this chapter.

(b) Provides that an offense under this article is a felony of the third degree, except as provided by Subsection (c).

(c) Provides that an offense is a felony of the second degree if it is shown at the trial of a person:

(1) for an offense or an attempt to commit an offense under this article that the person has previously been convicted under this article; and

(2) for an offense or an attempt to commit an offense under this article that the person fraudulently used identifying information in violation of Section 32.51 (Fraudulent Use or Possession of Identifying Information), Penal Code, during the commission or attempted commission of the offense.

SUBCHAPTER D. REMOVAL OF REGISTRATION INFORMATION

Art. 65.151. REMOVING REGISTRATION INFORMATION WHEN DUTY TO REGISTER EXPIRES. (a) Requires DPS to remove all information about the person

from the terrorist offender registry when a person is no longer required to register as a terrorist offender under this chapter.

(b) Provides that the duty to remove information under Subsection (a) arises if DPS has received notice from a judge in a court of competent jurisdiction that the judge has determined that the person no longer represents a threat to public safety.

(c) Requires DPS to notify all local law enforcement authorities that have provided registration information to DPS about the person of the removal when DPS has removed information under Subsection (a). Requires a local law enforcement authority that receives notice from DPS under this subsection to remove all registration information about the person from its registry.

SECTION 2. Amends the heading to Section 411.1473, Government Code, to read as follows:

Sec. 411.1473. DNA RECORDS OF CERTAIN REGISTERED SEX OFFENDERS AND TERRORIST OFFENDERS.

SECTION 3. Amends Sections 411.1473(a) and (b), Government Code, as follows:

(a) Provides that this section applies only to a person who is required to register under Chapter 62 (Sex Offender Registration Program) or 65, Code of Criminal Procedure.

(b) Requires DPS by rule to require a law enforcement agency serving as a person's primary registration authority under Chapter 62 or 65, Code of Criminal Procedure, to take certain actions.

SECTION 4. Amends Section 15.02(d), Penal Code, to provide that this subsection does not apply to an offense under Section 76.02.

SECTION 5. Amends the Penal Code, by adding Title 12, as follows:

TITLE 12. TERRORISM

CHAPTER 76. TERRORISTIC OFFENSES

Sec. 76.01. DEFINITIONS. Defines "material support or resources" and "training."

Sec. 76.02. TERRORISM. (a) Provides that a person commits an offense if the person:

(1) commits or conspires to commit an offense under:

(A) Chapter 19 (Criminal Homicide);

(B) Section 20.02 (Unlawful Restraint);

(C) Section 20.03 (Kidnapping);

(D) Section 20A.02 (Trafficking of Persons);

(E) Section 22.02 (Aggravated Assault);

(F) Section 22.021 (Aggravated Sexual Assault);

(G) Section 22.05 (Deadly Conduct), if punishable as a felony;

(H) Section 22.07 (Terroristic Threat), if punishable as a felony;

(I) Section 22.09 (Tampering With Consumer Product);

(J) Section 28.02 (Arson);

(K) Section 28.07 (Interference With Railroad Property), if punishable as a felony;

(L) Section 29.03 (Aggravated Robbery);

(M) Section 38.152 (Interference With Radio Frequency Licensed to Government Entity), if punishable as a felony; or

(N) Section 46.08 (Hoax Bombs); and

(2) commits or conspires to commit that offense with the intent to:

(A) intimidate or coerce the public or a substantial group of the public; or

(B) influence, by intimidation or coercion, the policy, conduct, or activities of this state, a political subdivision of this state, or the United States.

(b) Provides that an offense under this section is one category higher than the most serious offense listed in Subsection (a) that was committed or conspired to commit, except that:

(1) if the most serious offense is a Class A misdemeanor, the offense under this section is a Class A misdemeanor with a minimum term of confinement of 180 days; and

(2) if the most serious offense is a felony of the first degree, the offense under this section is a felony of the first degree with a minimum term of confinement of 15 years.

Sec. 76.03. AIDING IN COMMISSION OF TERRORISM. (a) Provides that a person commits an offense if the person intentionally raises, solicits, collects, or provides material support or resources with intent or knowledge that the material support or resources will be used, wholly or partly, to solicit, direct, supervise, plan, prepare, promote, carry out, assist, or aid in committing an offense under Section 76.02.

(b) Provides that an offense under this section is of the same degree as the offense under Section 76.02 that the person aided.

Sec. 76.04. HINDERING PROSECUTION OF TERRORISM. (a) Provides that a person commits an offense if, with intent to hinder the arrest, prosecution, conviction, or punishment of another for an offense under Section 76.02 or 76.03, the person:

(1) harbors or conceals the other;

(2) provides or aids in providing the other with any means of avoiding arrest or effecting escape;

(3) warns the other of impending discovery or apprehension; or

(4) tampers with any physical evidence that might aid in the discovery or apprehension of the other.

(b) Provides that an offense under this section is of the same degree as the offense under Section 76.02 or 76.03 for which the person committed the act described by Subsection (a).

Sec. 76.05. ASSISTANCE BY ATTORNEY GENERAL. (a) Authorizes the attorney general to assist the attorney representing the state in the investigation or prosecution of an offense under this chapter, if requested to do so by the attorney representing the state.

(b) Requires the attorney general to designate one individual in the division of the Office of the Attorney General that assists in the prosecution of criminal cases to coordinate responses to requests to assist in prosecution made under this section.

SECTION 6. Effective date: September 1, 2023.