

BILL ANALYSIS

H.B. 2151
By: Capriglione
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current Texas law requires individuals convicted of certain sexual offenses to register as sex offenders for public safety purposes. However, the bill author has informed the committee that indecent assault is not currently included among the offenses that trigger mandatory sex offender registration and that the absence of such a registration requirement for repeat or particularly egregious instances of indecent assault creates a gap in the law that leaves communities exposed to potential harm. H.B. 2151 seeks to strengthen Texas' commitment to public safety, deter repeat offenses, and hold offenders accountable by requiring an individual with a reportable conviction or adjudication of a second offense of indecent assault to register as a sex offender.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2151 amends the Code of Criminal Procedure to include the following among the offenses for which a reportable conviction or adjudication subjects a person to registration under the sex offender registration program:

- a second indecent assault offense, but not if the second offense results in a deferred adjudication; and
- a second offense under the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for or based on an offense containing elements that are substantially similar to the elements of indecent assault, but not if the second offense results in a deferred adjudication.

The bill includes a reportable conviction of or an adjudication of delinquent conduct relating to such a second offense under the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice in the applicability of the requirement for the following entities to conduct the statutory prerelease notification and registration requirements under the program on the date a person with such a reportable conviction or adjudication is placed under the entity's supervision, as applicable:

- the Texas Department of Criminal Justice parole division or a community supervision and corrections department; or
- the Texas Juvenile Justice Department (TJJD), a public or private vendor operating under contract with TJJD, a local juvenile probation department, or a juvenile secure pre-adjudication or post-adjudication facility.

H.B. 2151 applies only to an offense committed on or after the bill's effective date. An offense committed before the bill's effective date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense occurred before that date.

EFFECTIVE DATE

September 1, 2025.