

BILL ANALYSIS

H.B. 2407
By: Capriglione
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that the sex offender registration program under which convicted sex offenders must register helps protect communities and prevent repeat offenses and is a critical tool for tracking offenders and ensuring that they comply with legal requirements designed to safeguard the public. However, as the bill author has informed the committee, some sex offenders' failure to comply with sex offender registration requirements remains a persistent issue and their evasion of these obligations can make it difficult for law enforcement to monitor their whereabouts and thus increases risks to public safety. Furthermore, the bill author has informed the committee that current penalties for failing to register as a sex offender may not be sufficient to deter noncompliance, especially for repeat offenders or those who deliberately attempt to avoid detection, and that repeat violations of sex offender registration requirements can create inconsistencies in sentencing due to variations in how prior offenses are considered, which can lead to uncertainty in court proceedings and hinder the ability to impose appropriate penalties for habitual noncompliance. H.B. 2407 seeks to strengthen the state's commitment to public safety and improve enforcement mechanisms and deterrence by increasing the penalty for certain offenses involving the failure to comply with sex offender registration requirements to the next highest category of offense for certain offenders.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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. 2407 amends the Code of Criminal Procedure to revise provisions increasing the punishment for fraudulently using identifying information during the commission or attempted commission of the offense of failure to comply with sex offender registration requirements or for a subsequent commission or attempted commission of that offense to the punishment for the next highest degree of felony so that the offense itself is increased to the next highest category of offense.

H.B. 2407 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 was committed before that date.

EFFECTIVE DATE

September 1, 2025.