

By: Kerwin, Orr, Lowe, et al.

H. B. No. 3087

A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to the authority of a county to restrict sex offenders from  
3 child safety zones in the unincorporated area of the county;  
4 creating a criminal offense.

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

6 SECTION 1. Subchapter Z, Chapter 351, Local Government  
7 Code, is amended by adding Section 351.905 to read as follows:

8                   Sec. 351.905. LIMITATIONS ON REGISTERED SEX OFFENDERS IN  
9    UNINCORPORATED AREA OF COUNTIES. (a) In this section:

22 (b) To provide for the public safety, the commissioners  
23 court of a county by order may restrict a registered sex offender  
24 assigned to numeric risk level two or three using the sex offender

1 screening tool developed or selected under Article 62.007, Code of  
2 Criminal Procedure, from going in, on, or within a specified  
3 distance of a child safety zone located in the unincorporated area  
4 of the county.

5       (c) It is an affirmative defense to prosecution of an  
6 offense under the order that the registered sex offender was in, on,  
7 or within a specified distance of a child safety zone for a  
8 legitimate purpose, including transportation of a child that the  
9 registered sex offender is legally permitted to be with,  
10 transportation to and from work, and other work-related purposes.

11       (d) The order may establish a distance requirement  
12 described by Subsection (b) at any distance of not more than 1,000  
13 feet.

14       (e) The order may establish procedures for a registered sex  
15 offender to apply for and receive an exemption from the order.

16       (f) The order must exempt a registered sex offender who  
17 established residency in a residence located within the specified  
18 distance of a child safety zone before the date the order is  
19 adopted. The exemption must apply only to:

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

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

24       (g) A person commits an offense if the person violates an  
25 order adopted under this section. An offense under this subsection  
26 is a Class C misdemeanor.

27       SECTION 2. This Act takes effect September 1, 2025.