

By: Morales of Maverick

H.B. No. 3418

A BILL TO BE ENTITLED

AN ACT

relating to prohibitions on certain employment for sex offenders.

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

SECTION 1. Article 62.053(a), Code of Criminal Procedure, is amended to read as follows:

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

(1) inform the person that:

(A) not later than the later of 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 must register or verify registration with the local law enforcement authority in the municipality or county in which the person intends to reside;

(B) not later than the seventh day after the date on which the person is released or the date on which the person

1 moves from a previous residence to a new residence in this state,  
2 the person must, if the person has not moved to an intended  
3 residence, report to the applicable entity or entities as required  
4 by Article 62.051(h) or (j) or 62.055(e);

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

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

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

27 (F) the person must notify appropriate entities

1 of any change in status as described by Article 62.057;

2 (G) certain types of employment are prohibited  
3 under Article 62.063 [~~for a person with a reportable conviction or~~  
4 ~~adjudication for a sexually violent offense involving a victim~~  
5 ~~younger than 14 years of age and occurring on or after September 1,~~  
6 ~~2013~~];

7 (H) certain locations of residence are  
8 prohibited under Article 62.064 for a person with a reportable  
9 conviction or adjudication for an offense occurring on or after  
10 September 1, 2017, except as otherwise provided by that article;  
11 and

12 (I) if the person enters the premises of a school  
13 as described by Article 62.065 and is subject to the requirements of  
14 that article, the person must immediately notify the administrative  
15 office of the school of the person's presence and the person's  
16 registration status under this chapter;

17 (2) require the person to sign a written statement  
18 that the person was informed of the person's duties as described by  
19 Subdivision (1) or Subsection (g) or, if the person refuses to sign  
20 the statement, certify that the person was so informed;

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

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

27 SECTION 2. Article 62.063(a), Code of Criminal Procedure,

1 is amended by adding Subdivision (3) to read as follows:

2 (3) "Transportation network company" has the meaning  
3 assigned by Section 2402.001, Occupations Code.

4 SECTION 3. Article 62.063, Code of Criminal Procedure, is  
5 amended by adding Subsection (c) to read as follows:

6 (c) A person subject to registration under this chapter may  
7 not:

8 (1) for compensation, provide or offer to provide  
9 passenger transportation through a prearranged ride for a  
10 transportation network company; or

11 (2) log in as a driver on a transportation network  
12 company's digital network.

13 SECTION 4. Sections 2402.107(a) and (b), Occupations Code,  
14 are amended to read as follows:

15 (a) Before permitting an individual to log in as a driver on  
16 the company's digital network, a transportation network company  
17 must:

18 (1) confirm that the individual:

19 (A) is at least 18 years of age;

20 (B) maintains a valid driver's license issued by  
21 this state, another state, or the District of Columbia; ~~and~~

22 (C) possesses proof of registration and  
23 automobile financial responsibility for each motor vehicle to be  
24 used to provide digitally prearranged rides; and

25 (D) is not an individual who is subject to the  
26 registration requirements of Chapter 62, Code of Criminal  
27 Procedure;

1           (2) conduct, or cause to be conducted, a local, state,  
2 and national criminal background check for the individual that  
3 includes the use of:

4                   (A) a commercial multistate and  
5 multijurisdiction criminal records locator or other similar  
6 commercial nationwide database; ~~and~~

7                   (B) the national sex offender public website  
8 maintained by the United States Department of Justice or a  
9 successor agency; and

10                   (C) the Internet website maintained by the  
11 Department of Public Safety that contains the sex offender  
12 database; and

13           (3) obtain and review the individual's driving record.

14           (b) A transportation network company may not permit an  
15 individual to log in as a driver on the company's digital network if  
16 the individual:

17                   (1) has been convicted in the three-year period  
18 preceding the issue date of the driving record obtained under  
19 Subsection (a)(3) of:

20                           (A) more than three offenses classified by the  
21 Department of Public Safety as moving violations; or

22                           (B) one or more of the following offenses:

23                                   (i) fleeing or attempting to elude a police  
24 officer under Section 545.421, Transportation Code;

25                                   (ii) reckless driving under Section  
26 545.401, Transportation Code;

27                                   (iii) driving without a valid driver's

1 license under Section 521.025, Transportation Code; or

2 (iv) driving with an invalid driver's  
3 license under Section 521.457, Transportation Code;

4 (2) has been convicted in the preceding seven-year  
5 period of any of the following:

6 (A) driving while intoxicated under Section  
7 49.04 or 49.045, Penal Code;

8 (B) use of a motor vehicle to commit a felony;

9 (C) a felony crime involving property damage;

10 (D) fraud;

11 (E) theft;

12 (F) an act of violence; or

13 (G) an act of terrorism; ~~or~~

14 (3) is found to be registered in the national sex  
15 offender public website maintained by the United States Department  
16 of Justice or a successor agency; or

17 (4) is an individual who is subject to the  
18 registration requirements of Chapter 62, Code of Criminal  
19 Procedure, according to the Internet website maintained by the  
20 Department of Public Safety that contains the sex offender  
21 database.

22 SECTION 5. The change in law made by this Act in amending  
23 Chapter 62, Code of Criminal Procedure, applies to a person who is  
24 required to register under Chapter 62, Code of Criminal Procedure,  
25 on or after the effective date of this Act, regardless of whether  
26 the offense or conduct for which the person is required to register  
27 occurs before, on, or after the effective date of this Act.

1 SECTION 6. This Act takes effect September 1, 2025.