By: Zaffirini S.B. No. 415

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting a registered sex offender in certain circumstances from going within 2,500 feet of the residence of a victim of any offense committed by the offender for which the offender is subject to registration.

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

SECTION 1. This Act may be cited as Brooke's Boundary.

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

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

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

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

results in the automatic revocation of any driver's license or personal identification certificate issued by the department to the person;

(F) the person must notify appropriate entities of any change in status as described by Article 62.057;

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

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

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

(J) the person may not go within 2,500 feet of the residence of a victim of any offense for which the person is subject to registration under this chapter unless the victim moves to a residence that is within 2,500 feet of the person's residence;

(2) require the person to sign a written statement that the person was informed of the person's duties as described by Subdivision (1) or Subsection (g) 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 each 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.

SECTION 3. Subchapter B, Chapter 62, Code of Criminal Procedure, is amended by adding Article 62.066 to read as follows:

Art. 62.066. PROXIMITY TO CERTAIN LOCATIONS. (a) Except as provided by Subsection (b), a person subject to registration under this chapter may not go within 2,500 feet of the residence of a victim of any offense for which the person is subject to registration under this chapter.

(b) This article does not apply to a person subject to registration under this chapter if the victim described by Subsection (a) moves to a residence that is within 2,500 feet of the person's residence.

SECTION 4. The change in law made by this Act in amending Chapter 62, Code of Criminal Procedure, applies to a person who is required to register under Chapter 62, Code of Criminal Procedure, on or after the effective date of this Act, regardless of whether the offense or conduct for which the person is required to register occurs before, on, or after the effective date of this Act.

SECTION 5. This Act takes effect September 1, 2027.