

BILL ANALYSIS

Senate Research Center
76R13294 GWK-D

C.S.S.B. 1224
By: Shapiro
Criminal Justice
4/30/1999
Committee Report (Substituted)

DIGEST

Currently, Texas law requires sex offenders who meet certain conditions to register as a sex offender. There are situations that have taken place over the past few years that have shown us the weaknesses in our sex offender registration program. C.S.S.B. 1224 would establish provisions regarding sex offender registration for which a person who is in noncompliance commits a criminal offense.

PURPOSE

As proposed, C.S.S.B. 1224 establishes provisions regarding sex offender registration and provisions of the sex offender registration law for which a person who is in noncompliance commits a criminal offense.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 62.02(a), Code of Criminal Procedure, to require a person who has a reportable conviction or adjudication or who is required to register as a condition of parole, release to mandatory supervision, or community supervision to register or verify registration with the local law enforcement authority.

SECTION 2. Amends Chapter 62, Code of Criminal Procedure, by adding Article 62.021, as follows:

Art. 62.021. OUT-OF-STATE REGISTRANTS. Provides that this article applies to a person who is required to register as a sex offender under the laws of another state with which the Department of Public Safety (DPS) has entered into a reciprocal registration agreement and who is not otherwise required to register because certain requirements are fulfilled. Requires a person to comply with the annual verification requirements in the same manner as a person who is required to verify registration on the basis of a reportable conviction or adjudication. Provides that the expiration date of the duty for a person to register expires on the date the person's duty to register would expire in the other state had the person remained in that state. Authorizes DPS to negotiate and enter into a reciprocal registration agreement with any other state to prevent residents from frustrating the public purpose of the registration of sex offenders by moving from one state to another.

SECTION 3. Amends Article 62.03(e), Code of Criminal Procedure, to require local law enforcement to verify the age of the victim, the age of the person subject to registration, and the reason for registering, not later than the eighth day after receiving a registration form. Provides that if the victim is a child younger than 17 years of age or the person subject to registration is 17 years of age or older and a student enrolled in a public or private secondary school, the authority will immediately notify certain individuals.

SECTION 4. Amends Articles 62.04(a) and (f), Code of Criminal Procedure, to require a person to report to certain authorities within seven days of changing addresses, the person's new address and provide the authority with proof of identity and residence, if a person is required to register address changes. Makes conforming changes.

SECTION 5. Amends Article 62.05, Code of Criminal Procedure, to require the person to report to authorities any change in the person's physical health or job status within seven days of a change, if a person required to register is not supervised by an officer, the person shall report. Sets forth descriptions

of a change on job status and a person's health status.

SECTION 6. Amends Articles 62.06(a) and (b), Code of Criminal Procedure, to require certain individuals to register once each year not earlier than 30 days before and not after 30 days from the person's birthday, rather than when the person first registered. Sets forth descriptions of a person complying with the requirements. Sets forth conditions by which a registrant may have to report not less than once in each 90-day period, rather than if the person has on two or more occasions been convicted of or received an order of deferred adjudication for a sexually violent offense. Makes conforming changes.

SECTION 7. Provides that in order to accomplish the change in law relating to persons required to report to local law enforcement authority with whom a person verifies registration by reporting within an allotted time frame, the authority shall inform the person that on the next occasion and each succeeding occasion on which the person verifies registration, the person must comply with certain articles of this Act. Provides that the change in law to which this section applies does not affect the validity of any action taken by a person to verify registration before the person is provided the opportunity to be informed of the changes made.

SECTION 8. Effective date: September 1, 1999.

SECTION 9. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Article 62.02(a), Code of Criminal Procedure, to require a person who has a reportable conviction or adjudication or who is required to register as a condition of parole, release to mandatory supervision, or community supervision to register or verify registration with certain local law enforcement authority. Renumbers proposed SECTIONS 1 and 2 as SECTIONS 2 and 3.

SECTION 4.

Combines proposed SECTIONS 3 and 4 into SECTION 4.