

**BILL ANALYSIS**

Senate Research Center  
78R4156 KEL-D

S.B. 1338  
By: Hinojosa  
Criminal Justice  
4/22/2003  
As Filed

**DIGEST AND PURPOSE**

As proposed, S.B. 1338 exempts certain persons aged 17 to 18 years who are dating and having sex with other persons, aged 14 and 15, from registering as sex offenders.

**RULEMAKING AUTHORITY**

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

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 62.0105(d), Code of Criminal Procedure, to require, rather than authorize, the court to issue an order exempting the person from registration under this chapter if it appears by a preponderance of the evidence, after a hearing on the petition described by Subsection (a), that the exemption does not threaten public safety and the person's conduct did not occur without the consent of the victim or intended victim.

SECTION 2. Provides that the change in law made by this Act applies to a person subject to registration under Chapter 62, Code of Criminal Procedure, for an offense that was committed before, on, or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2003.