

BILL ANALYSIS

Senate Research Center

H.B. 424
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law does not require certain group homes to notify the residents of the home of a newly admitted resident who is a registered sex offender. H.B. 424 seeks to ensure that a resident of a group home or the resident's legal guardian, if applicable, receives notification of a registered sex offender who becomes a resident of the group home.

H.B. 424 amends current law relating to the sex offender status of a person who becomes a resident of certain group home facilities.

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 Subtitle G, Title 4, Health and Safety Code, by adding Chapter 325, as follows:

CHAPTER 325. NOTICE OF SEX OFFENDER STATUS TO RESIDENTS OF GROUP HOME

Sec. 325.001. DEFINITIONS. Defines "director," "group home," and "resident" in this chapter.

Sec. 325.002. APPLICABILITY OF CHAPTER. Provides that this chapter does not apply to a group home that accepts or is assigned only residents who are sex offenders required to register under Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure, if the residents receive treatment at the group home from a sex offender treatment provider who is licensed under Chapter 110 (Council on Sex Offender Treatment), Occupations Code.

Sec. 325.003. SEX OFFENDER STATUS CHECK. Requires the director of a group home, except as provided by Section 325.002, as soon as practicable after a person requests to live at a group home or is assigned to live at the group home as a condition of community supervision or as a condition of release on parole or to mandatory supervision, to ascertain whether the person is registered under Chapter 62, Code of Criminal Procedure, by consulting the Internet website maintained by the Department of Public Safety of the State of Texas that contains the sex offender database.

Sec. 325.004. NOTICE TO OTHER RESIDENTS REQUIRED. Requires the director, if based on information obtained under Section 325.003 the director ascertains that a person is a registered sex offender, not later than the third day after the date the person becomes a resident of the group home, to provide notice that the person is a sex offender to the legal guardian of each current resident who has a legal guardian and directly to each other resident. Requires that the notice contain all of the information about the person that is available on the website described by Section 325.003.

Sec. 325.005. IMMUNITY FOR RELEASE OF PUBLIC INFORMATION. Provides that a group home or its director is not liable under any law for damages arising from conduct required under this chapter.

Sec. 325.006. NOTICE ABOUT CURRENT RESIDENTS. Requires the director of a group home, not later than March 1, 2014, to ascertain, in the manner provided by Section 325.003, whether any resident of the group home is registered under Chapter 62, Code of Criminal Procedure, and provide to the legal guardian of each current resident who has a legal guardian, and directly to each other resident, notice about each resident who is required to register under that chapter as provided by Section 325.004. Provides that this section expires April 1, 2014.

SECTION 2. Effective date: September 1, 2013.