

## **BILL ANALYSIS**

Senate Research Center  
83R11676 MEW-D

S.B. 1323  
By: Seliger  
Criminal Justice  
4/19/2013  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, the commissioners court in a county with a population of 100,000 or more may designate the office of the sheriff of the county or the chief of police as a mandatory countywide registration location for sex offenders. As such, a county with a population less than 100,000 is prohibited from establishing a centralized registration authority.

S.B. 1323 allows a centralized registration authority to be implemented in any county that chooses to do so, regardless of population.

As proposed, S.B. 1323 amends current law relating to the authority of a county to establish a centralized sex offender registration authority.

### **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 62.0045, Code of Criminal Procedure, as follows:

Art. 62.0045. CENTRALIZED REGISTRATION AUTHORITY. (a) Authorizes the commissioners court of a county, rather than the commissioners court in a county with a population of 100,000 or more, to designate the office of the sheriff of the county or to, through interlocal agreement, designate the office of a chief of police of a municipality in that county to serve as a mandatory countywide registration location for persons subject to this chapter (Sex Offender Registration Program).

(b) Requires a person subject to this chapter, notwithstanding any other provision of this chapter, to perform the registration and verification requirements of Articles 62.051 (Registration: General) and 62.058 (Law Enforcement Verification of Registration Information) and the change of address requirements of Article 62.055 (Change of Address; Lack of Address) only with respect to the centralized registration authority for the county, regardless of whether the person resides in any municipality located in that county. Deletes existing text requiring a person who is subject to this chapter, notwithstanding any other provision of this chapter, to register under Article 62.051 or verify registration under Article 62.058 only with the centralized registration authority for the county, regardless of whether the person resides in any municipality located in that county. Requires the centralized registration authority, not later than the third day after the date the person registers or verifies registration or changes address with that authority, to provide to the local law enforcement authority in that municipality notice of the person's registration, verification of registration, or change of address, as applicable, with the centralized registration authority if the person resides in a municipality, and the local law enforcement authority in the municipality does not serve as the person's centralized registration authority.

(c) Provides that this section does not affect a person's duty to register with secondary sex offender registries under this chapter, such as those described by Articles 62.059 (Registration of Persons Regularly Visiting Location) and 62.153 (Registration of Workers or Students at Institutions of Higher Education).

SECTION 2. Effective date: upon passage or September 1, 2013.