

Chapter 329

H.B. No. 355

1 AN ACT

2 relating to prohibiting certain sex offenders from residing on the  
3 campus of a public or private institution of higher education.

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

5 SECTION 1. Subchapter B, Chapter 62, Code of Criminal  
6 Procedure, is amended by adding Article 62.064 to read as follows:

7 Art. 62.064. PROHIBITED LOCATION OF RESIDENCE. A person  
8 subject to registration under this chapter may not reside on the  
9 campus of a public or private institution of higher education  
10 unless:

11 (1) the person is assigned a numeric risk level of one  
12 based on an assessment conducted using the sex offender screening  
13 tool developed or selected under Article 62.007; and

14 (2) the institution approves the person to reside on  
15 the institution's campus.

16 SECTION 2. Article 62.053(a), Code of Criminal Procedure,  
17 is amended to read as follows:

18 (a) Before a person who will be subject to registration  
19 under this chapter is due to be released from a penal institution,  
20 the Texas Department of Criminal Justice or the Texas Juvenile  
21 Justice Department shall determine the person's level of risk to  
22 the community using the sex offender screening tool developed or  
23 selected under Article 62.007 and assign to the person a numeric  
24 risk level of one, two, or three. Before releasing the person, an

1 official of the penal institution shall:

2 (1) inform the person that:

3 (A) not later than the later of the seventh day  
4 after the date on which the person is released or after the date on  
5 which the person moves from a previous residence to a new residence  
6 in this state or not later than the first date the applicable local  
7 law enforcement authority by policy allows the person to register  
8 or verify registration, the person must register or verify  
9 registration with the local law enforcement authority in the  
10 municipality or county in which the person intends to reside;

11 (B) not later than the seventh day after the date  
12 on which the person is released or the date on which the person  
13 moves from a previous residence to a new residence in this state,  
14 the person must, if the person has not moved to an intended  
15 residence, report to the applicable entity or entities as required  
16 by Article 62.051(h) or (j) or 62.055(e);

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

24 (D) not later than the 10th day after the date on  
25 which the person arrives in another state in which the person  
26 intends to reside, the person must register with the law  
27 enforcement agency that is identified by the department as the

1 agency designated by that state to receive registration  
2 information, if the other state has a registration requirement for  
3 sex offenders;

4 (E) not later than the 30th day after the date on  
5 which the person is released, the person must apply to the  
6 department in person for the issuance of an original or renewal  
7 driver's license or personal identification certificate and a  
8 failure to apply to the department as required by this paragraph  
9 results in the automatic revocation of any driver's license or  
10 personal identification certificate issued by the department to the  
11 person;

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

14 (G) certain types of employment are prohibited  
15 under Article 62.063 for a person with a reportable conviction or  
16 adjudication for a sexually violent offense involving a victim  
17 younger than 14 years of age and occurring on or after September 1,  
18 2013; and

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

23 (2) require the person to sign a written statement  
24 that the person was informed of the person's duties as described by  
25 Subdivision (1) or Subsection (g) or, if the person refuses to sign  
26 the statement, certify that the person was so informed;

27 (3) obtain the address or, if applicable, a detailed

1 description of each geographical location where the person expects  
2 to reside on the person's release and other registration  
3 information, including a photograph and complete set of  
4 fingerprints; and

5 (4) complete the registration form for the person.

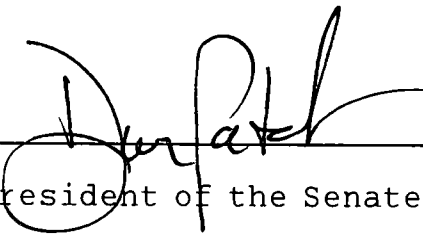
6 SECTION 3. Article 62.058, Code of Criminal Procedure, is  
7 amended by adding Subsection (g) to read as follows:

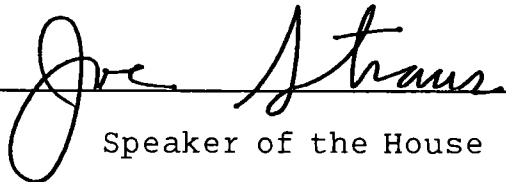
8 (g) A local law enforcement authority that provides to a  
9 person a registration form for verification as required by this  
10 chapter shall include with the form a statement describing the  
11 prohibition under Article 62.064.

12 SECTION 4. (a) The change in law made by this Act in adding  
13 Article 62.064, Code of Criminal Procedure, applies only to a  
14 person who is required to register under Chapter 62, Code of  
15 Criminal Procedure, on the basis of a conviction or adjudication  
16 for an offense committed on or after the effective date of this Act.  
17 An offense committed before the effective date of this Act is  
18 governed by the law in effect on the date the offense was committed,  
19 and the former law is continued in effect for that purpose.


20 (b) A person who is required to register under Chapter 62,  
21 Code of Criminal Procedure, solely on the basis of a conviction or  
22 adjudication that occurs before the effective date of this Act is  
23 governed by the law in effect when the conviction or adjudication  
24 occurred, and the former law is continued in effect for that  
25 purpose.

26 SECTION 5. This Act takes effect September 1, 2017.

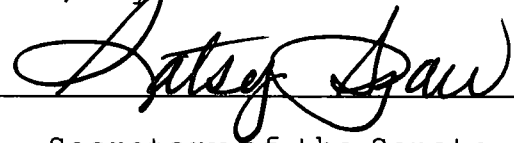
  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 355 was passed by the House on April 20, 2017, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

  
\_\_\_\_\_  
Chief Clerk of the House


I certify that H.B. No. 355 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

  
\_\_\_\_\_  
Secretary of the Senate

APPROVED: 5-31-2017  
Date

  
\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
11:00 AM O'CLOCK

  
\_\_\_\_\_  
Secretary of State

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 4, 2017**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB355 by Raney (Relating to prohibiting certain sex offenders from residing on the campus of a public or private institution of higher education.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration, 212 Office of Court Administration, Texas Judicial Council, 644 Juvenile Justice Department, 696 Department of Criminal Justice

**LBB Staff:** UP, KJo, THo, DEH

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 12, 2017**

**TO:** Honorable J. M. Lozano, Chair, House Committee on Higher Education

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB355 by Raney (Relating to prohibiting certain sex offenders from residing on the campus of a public or private institution of higher education.), **Committee Report 1st House, Substituted**

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**LBB Staff:** UP, THo, DEH

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 20, 2017**

**TO:** Honorable J. M. Lozano, Chair, House Committee on Higher Education

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB355 by Raney (Relating to prohibiting certain sex offenders from residing on the campus of a public or private institution of higher education.), **As Introduced**

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