

## **BILL ANALYSIS**

H.B. 372  
By: Riddle  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

According to a national organization, local, state, and national law enforcement agencies have seen a dramatic increase in cases of sexual exploitation of children since the 1990s. Studies looking into the use of the Internet in the commission of sexual crimes have shown that the computer age has resulted in more opportunities for the victimization of the innocent, particularly children, and presents complex challenges for law enforcement, victim services, parents, legislators, and the community. Interested parties assert that these problems continue to grow, and, because probation and parole agencies cannot restrict a sex offender's use of a computer or the Internet, the potential victimization of the innocent will persist. H.B. 372 seeks to remedy this situation by revising provisions relating to certain sex offenders.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 372 amends the Code of Criminal Procedure to include a sex offender who is assigned a numeric risk level of two based on a sex offender risk assessment among the sex offenders who are subject to certain restrictions on Internet access as a condition of community supervision. The bill requires a court that grants community supervision to a sex offender subject to those Internet access restrictions to ensure the defendant's compliance with the restrictions by requiring the defendant to submit to regular inspection or monitoring of each electronic device used by the defendant to access the Internet.

H.B. 372 amends the Government Code to include a sex offender who is assigned a numeric risk level of two based on a sex offender risk assessment among the sex offenders who are subject to certain restrictions on Internet access as a condition of parole or mandatory supervision. The bill requires a parole panel that releases on parole or to mandatory supervision a sex offender subject to those Internet access restrictions to ensure the releasee's compliance with the restrictions by requiring the releasee to submit to regular inspection or monitoring of each electronic device used by the releasee to access the Internet.

H.B. 372 applies only to a person who is placed on community supervision or released on parole or to mandatory supervision on or after September 1, 2009. The bill requires the applicable court or parole panel to modify the conditions of supervision or parole as appropriate to conform to the bill's provisions for each sex offender with a numeric risk level of two or three who was placed

on community supervision or released on parole or to mandatory supervision on or after September 1, 2009, and who has not yet completed the offender's period of supervision or parole.

**EFFECTIVE DATE**

September 1, 2015.