

BILL ANALYSIS

Senate Research Center

S.B. 2048
By: Williams
Criminal Justice
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, certain sex offenders in Texas are required to register with the chief of police in the municipality where the offender is living, or with the sheriff of the county where the offender is living. In large counties that contain many different municipalities, information on these offenders is spread across many small offices within the county. Sex offender numbers are increasing every year, and these small agencies lack the resources to track and assess treatment of sex offenders within these large counties.

This bill allows a county commissioners court in a county with a population over 100,000 to create a centralized registration authority where all registered sex offenders would be required to register. This allows a county to have information on all sex offenders registered within that county at a single location.

S.B. 2048 amends current law relating to the establishment of a centralized sex offender registration authority in certain counties in this state.

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 62.001, Code of Criminal Procedure, by amending Subdivision (2) and adding Subdivision (11) to redefine "local law enforcement authority" and define "centralized registration authority."

SECTION 2. Amends Article 62.004, Code of Criminal Procedure, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Creates an exception under Subsection (a-1). Makes no further changes to this subsection.

(a-1) Provides that if a person resides or, as described by Article 62.152 (Registration of Certain Workers or Students), works or attends school in a county with a centralized registration authority, notwithstanding any other provision of this chapter, the centralized registration authority serves as the person's primary registration authority under this chapter, regardless of whether the person resides, works, or attends school, as applicable, in any municipality located in that county.

SECTION 3. Amends Subchapter A, Chapter 62, Code of Criminal Procedure, by adding Article 62.0045, as follows:

Art. 62.0045. CENTRALIZED REGISTRATION AUTHORITY. (a) Authorizes 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, 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.

(b) Requires a person who is subject to this chapter, notwithstanding any other provision of this chapter, to register under Article 62.051 (Registration: General) or verify registration under Article 62.058 (Law Enforcement Verification of Registration Information) 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, 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, not later than the third day after the date the person registers or verifies registration with that authority, to provide to the local law enforcement authority in that municipality notice of the person's registration or verification of registration, as applicable, with the centralized registration authority.

SECTION 4. Effective date: upon passage or September 1, 2009.