

- SUBJECT:** Notice before housing sexually violent predators at a new location
- COMMITTEE:** Corrections — committee substitute recommended
- VOTE:** 6 ayes — Murphy, J. White, Keough, Krause, Schubert, Tinderholt
0 nays
1 absent — Allen
- WITNESSES:** For — (*Registered, but did not testify:* Lance Lowry, American Federation of State County Municipal Employees - Texas Correctional Employees - Huntsville)
Against — None
On — (*Registered, but did not testify:* Jessica Marsh and Marsha McLane, Office of Violent Sex Offender Management)
- BACKGROUND:** Under Health and Safety Code, ch. 841, certain repeat sex offenders and other offenders, including those convicted of murder, whose crimes were sexually motivated and who are released from prison or a state mental health facility can be committed through the civil courts to outpatient treatment and supervision. Treatment and supervision of those determined to be "sexually violent predators" are coordinated by the state's Office of Violent Sex Offender Management (OVSOM). Once committed, individuals can be kept under supervision until a court determines they no longer meet that standard. Under the statute, the judge must require persons under civil commitment to live in a Texas facility under contract with the OVSOM or at another location approved by the office.
- In spring 2014, the OVSOM attempted to relocate offenders to Houston and Austin neighborhoods without notifying local or elected officials or the public directly. A local community opposed a plan to build housing for the program in Liberty County.

DIGEST: CSHB 678 would require the Office of Violent Sex Offender Management (OVSOM) to provide advance notice to certain legislators if it intended to house one or more individuals under the state's civil commitment program at a new residence or facility that had not previously been used to house those in the program.

The bill also would require vendors to provide advance notice to certain legislators of intent to submit a proposal to the OVSOM for the construction or renovation of a residence or facility that would serve as a new location for those in the civil commitment program.

The notice by the OVSOM and vendors would have to be in writing to each member of the Legislature who represented a district containing territory in the affected counties.

The OVSOM would have to give notice as soon as practicable after awarding a contract for the construction or renovation of a residence or facility. If construction or renovation was unnecessary, the notice would have to be given at least 30 days before the residence or facility would first be used to house individuals in the civil commitment program. As an exception, OVSOM could provide notice at least 72 hours before transferring an individual if the transfer was necessary because of a medical emergency, a serious behavioral or health and safety issue, or release from a secure correctional facility.

Vendors would have to give notice at least 30 days before they submitted a proposal.

The bill would take effect September 1, 2015.